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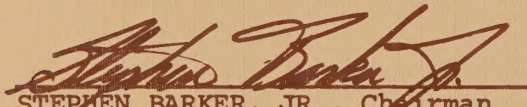
an element of
the kern county general plan

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CERTIFICATION OF ADOPTION

KERN COUNTY PLANNING COMMISSION

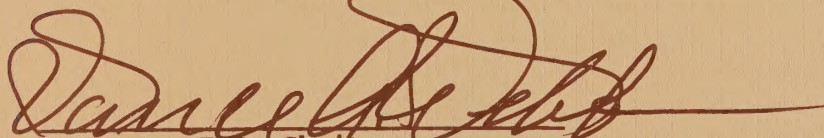
By Resolution Number 68-74, dated June 17, 1974, the Kern County Planning Commission adopted the herein-contained Scenic Highways Element of the Kern County General Plan after conducting a public hearing in compliance with all statutory requirements of the State of California and all ordinance requirements of the County of Kern.

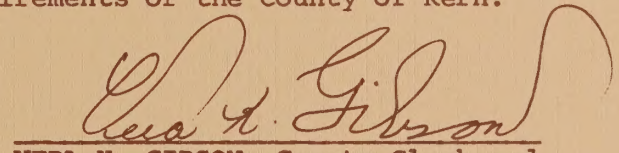

STEPHEN BARKER, JR., Chairman
Kern County Planning Commission


JACK L. DALTON, Director/Secretary

KERN COUNTY BOARD OF SUPERVISORS

By Resolution Number 74-418, dated August 5, 1974, the Kern County Board of Supervisors adopted the herein-contained Scenic Highways Element of the Kern County General Plan after receiving a recommendation thereon from the Kern County Planning Commission and conducting a public hearing pursuant to all statutory requirements of the State of California and all ordinance requirements of the County of Kern.


VANCE A. WEBB, Chairman
Kern County Board of Supervisors


VERA K. GIBSON, County Clerk and
Ex-Officio Clerk of the Board of
Supervisors

County planning
Highways

Partways

Kern Co.
" "
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LAKE ISABELLA FROM CALIENTE-BODFISH ROAD

GENERAL



INTRODUCTION

The scenic qualities of various areas in Kern County have been acknowledged for many years. This Element of the General Plan seeks to continue this trend by recognizing the aesthetic characteristics of land visible from our local roadways. The development of this Plan, for the most part, represents a logical extension of the prevailing environmental awareness of our society. Citizens are increasingly discovering that nature has placed only a limited number of areas within reach which are unique in their attractiveness. Kern County, for example, has been endowed with such unusual features as Red Rock Canyon, fields of colorful



SIERRA NEVADA FOOTHILLS NEAR GRANITE STATION

wildflowers, and pastoral foothills uncluttered by urban type development. Many scenic areas such as these are traversed by public roads and are easily accessible from anywhere in the County. From a recreational and environmental standpoint, it is important that scenic areas be preserved. These and other attractions along our roadways should not only be protected for us, but also for future generations, who will undoubtedly place a great deal of value on such a legacy as scenic land.

The protection and enhancement of scenic areas adjacent to selected highways is the primary objective of this General Plan Element. It identifies a system of scenic routes, outlines standards, and suggests methods of implementation designed to preserve scenic land. The Plan is purposely in conformance with State guidelines in order that the local program take the proper direction and the County receive due recognition for its efforts to identify and enhance roadside corridors. The Scenic Highways Element is not designed nor intended to impose unnecessary or unjustifiable restrictions on public or private property. It merely orients itself toward a sensible solution to the problem of regulating undesirable types of land use in scenic areas.

Lastly, where a discrepancy exists, the Plan shall supersede former references made to Scenic Highways in other Elements of the County General Plan.

IMPORTANCE

The Scenic Highways Program is important to the development and improvement of the County for several reasons. Most significant, perhaps, is the fact that it will result in the preservation and enhancement of the scenic qualities of selected highway corridors. No other planning program is aimed at this specific objective of protecting the "view from the road." The program will act to preserve a continuous network of scenic routes which will interconnect much of the scenic land in the County. Furthermore, these scenic areas will subsequently be linked to other such areas throughout California by the State Scenic Route System. The total system, consisting of County and State scenic routes, will greatly enhance the opportunities for recreational driving.

An important benefit of the program is that it will very likely result in the development of roadside rests, vista points, and other facilities appurtenant to scenic routes. Roadside improvements such as these will surely enhance the "drive in the country" atmosphere of rural County highways. The State Department of Transportation, Department of Parks and Recreation, and the National Forest Service have already built such facilities on the land under their jurisdiction, and some are adjacent to the scenic routes proposed in this Plan. The effort put forth by the County to establish a solid program for the protection of scenic areas will be likely incentive for the further development of roadside facilities by the State and Federal agencies.

As suggested in the Introduction of this Element, benefits from the establishment of scenic corridor protection measures will accrue to the County as a whole. For example, the improved aesthetics of the corridor will, foreseeably, enhance the environment for citizens residing adjacent to the scenic system, in addition to those actually using scenic routes. Proof of this comes from other jurisdictions which have implemented scenic highway standards. In many cases the standards have resulted in more attractive, higher quality development in the areas surrounding scenic roadways. The Kern County Scenic Highways Plan will, likewise, encourage quality development in scenic areas, thereby acting as a deterrent to blight and safeguarding property values.

In addition to encouraging quality development, the program is designed to result in the preservation of selected open spaces. Open space serves a variety of functions. Most obvious are its recreational and scenic functions. Scenic corridor open space can also be structural in nature by shaping and guiding development; it can be protective by discouraging development in flood plains and earthquake zones; it may be productive if used for agricultural, water supply, or forestry purposes; and, open space can serve a psychological function by affording people the opportunity of close contact with nature. Preservation of open space is important because of all the functions it serves. From the standpoint of scenic highways, however, its aesthetic function is of prime importance. Unfortunately, the rapid rate of urbanization throughout California has resulted in a significant reduction in the scenic qualities in many areas. Experience has shown that when an area is converted from fields and rolling hills to intensive urban and suburban uses, most, if not all, of the characteristics which made it scenic in the natural state are lost. Judicious application of scenic highway standards can help avoid this problem by preserving open space or creating the illusion of open space by "blending in" urban type uses with the natural surroundings.

In brief, the Scenic Highways Program will be beneficial to the County for many reasons, and its importance should not be underemphasized. Since all of the County will benefit in some way from the program's implementation, it should be the County's intention to play the vital role of a catalyst, stimulating the action necessary to accomplish the formidable objective of scenic land preservation.

BACKGROUND

The Scenic Highways program began, ironically enough, as a movement to reassess the necessity of constructing a freeway along the California coastline. Residents who were to be affected by the reconstruction of historic and twisty State Route 1 to freeway standards felt that such construction would mar a magnificent drive. Led by State Senator Farr, the group got the legislature to authorize a prototype scenic roads study of the route through Senate Resolution No. 26 in 1960. In the following year, the Regular Session of the Legislature authorized further investigation of the Scenic Highway concept by passing Senate Concurrent Resolution No. 39. Through a Citizens Advisory Committee, assisted by an Interdepartmental Committee on Scenic Highways, a preliminary plan for scenic routes was prepared and submitted to the Legislature in March, 1962. Both committees were continued in existence for the purpose of further study and development of a final report and recommendations. The final report, entitled, A Plan for Scenic Highways in California, was submitted to the Legislature in March, 1963. Its conclusions and recommendations became the basis of legislative action in the adoption of Senate Bill No. 1467 and a companion bill, Senate Bill No. 1468. This legislation is commonly referred to as the Scenic Highways Law. It establishes the statewide Scenic Highway System, "....as a vital part of the all encompassing effort which the State must take to protect and enhance California's beauty, amenity, and quality of life."

Adoption of the Scenic Highways Law added Sections 220 to 229, and 260 to 263 inclusive, to the Streets and Highways Code (see Appendix 2). These sections set forth the interest in scenic highway conservation and recognize the necessity of a cooperative effort by the State and local governments in the designation and protection of scenic corridors. The Code establishes a Master Plan of State Scenic Highways, creates a Citizens Advisory Committee on the Master Plan, and places a responsibility for the creation and application of standards for the development of the system in the State Department of Transportation and the Advisory Committee.

Another portion of the Streets and Highways Code, Section 154, encourages and authorizes counties to develop systems of COUNTY SCENIC HIGHWAYS to complement the State system. These county scenic highways are subject to the standards of planning, design, and protection which apply to the State system.

In 1969, Section 65302 of the California Government Code was amended to include a Scenic Highways Plan as a MANDATORY ELEMENT of the general plans of cities and counties. The Code requires the Element for "....the development, establishment, and protection of scenic highways." Section 65302 is pursuant to the aforementioned provisions of Article 2.5 (commencing with Section 260) of the Streets and Highways Code. It is intended that the Kern County Scenic Highways Plan meet the Mandatory Element requirement of the Government Code.



SIERRA WAY, KERNVILLE

The scope of this Element covers only the unincorporated areas of the County. The Government Code requires cities to adopt a plan for scenic highways as a part of their own general plan. Therefore, where a city proposes a scenic route, or where an eligible State Scenic Highway passes through an incorporated area, the city must take the responsibility for enacting and enforcing its scenic highway program. It is this County's intention, however, to coordinate with other cities and counties in cases where scenic routes cross jurisdictional boundaries.

DEFINITIONS OF THE VARIOUS HIGHWAY DESIGNATIONS IN THIS ELEMENT

SCENIC HIGHWAY - A scenic highway is any freeway, highway, road, street, boulevard, or other public right-of-way which traverses an area of exceptional scenic quality and has been so designated as a Scenic Highway by the County Board of Supervisors and/or the State of California. (A scenic highway is also referred to as a scenic route in this Plan.) A highway shall not be designated as "scenic" until a plan and program for the protection and enhancement of adjacent roadside land is implemented by the County. Before scenic preservation measures are implemented, the route shall be termed an **ELIGIBLE SCENIC HIGHWAY** (see page 45). If it is determined by the State and County that an eligible scenic highway meets minimum stan-

dards, and if the proper procedures are followed, then an eligible highway shall become an OFFICIAL SCENIC HIGHWAY.

STATE SCENIC HIGHWAY - A highway shall be known as a State Scenic Highway if it is included in the State Master Plan of Scenic Highways as adopted by the California Legislature.

COUNTY SCENIC HIGHWAY - County Scenic Highways are similar to State Scenic Highways except for the fact that they are not listed in the State Scenic Highway Master Plan. County Scenic Highways can consist of either county or state roads and highways. Routes eligible to become County Scenic Highways are listed in this Plan.

SCENIC CORRIDOR - A Scenic Corridor encompasses a much wider area than the highway right-of-way. The corridor is a strip of land of varying width generally visible from the roadway and containing those items of scenic splendor which help determine a highway's scenic status. Criteria for the delineation of corridor boundaries are included in this Element.



KERN RIVER CANYON

GOALS AND PRINCIPLES



GOALS

The following goals relate to the overall end results desired of the Scenic Highways Program. Goals are the cornerstone of the planning process, since they are intended to form the framework for public and private decision making. These goals will be interpreted in more detail by a number of Principles, and, at the highest degree of preciseness, Standards will be suggested for use in order to achieve both the goals and principles of this Element. The primary goals are to:

1. ENHANCE THE QUALITY OF LIFE

A fundamental goal of the Scenic Highway Program is to preserve and enhance the quality of life for present and future generations of citizens. The program intends to achieve this goal by preventing the degradation of an important portion of the environment and by taking appropriate steps to offset the effects of that degradation which already has occurred.

2. ENCOURAGE THE PROPER RESPECT FOR THE NATURAL ENVIRONMENT

The Program seeks to increase the appreciation of local residents of their natural environment, deepen their appreciation of it as a source of human enrichment vital to their existence, and to solicit their constructive support for policies and programs developed.

3. SAFEGUARD PROPERTY VALUES

Preservation of the scenic qualities of the landscape will assist in stabilizing or increasing property values and also protect and enhance public and private investment in buildings, parks, roadways, and open spaces.

4. STIMULATE THE LOCAL ECONOMY

A system of County scenic highways can help to promote the "visitor industry" in order to make it a more important part of the economic base of Kern County.

5. PRESERVE AND IMPROVE THE PRESENT IMAGE OF THE COUNTY

The mental image that visitors have of Kern County is partly formed by its physical appearance. The way the County "looks" is a representation and reflection of the attitude of the community as a whole. An attractive rural landscape and cityscape will have a favorable impact on visitors and also instill a greater sense of community pride in local residents.

PRINCIPLES

The principles below set a broad outline for action and form the basis on which more detailed development criteria can be formulated for scenic highways. Essentially, these principles act as a connective link between general goals and specific standards.

1. General

a. ESTABLISH A CONTINUOUS AND CONVENIENT SYSTEM OF SCENIC HIGHWAYS

A system of County scenic highways should be established to supplement the scenic highways which are included in the State Master Plan for Scenic Highways. The total system should be complete enough to be convenient to all persons in Kern County.

b. COORDINATE THE SCENIC HIGHWAYS PLAN WITH OTHER ELEMENTS OF THE COUNTY GENERAL PLAN

Scenic route plans should supplement the Circulation, Open Space, and Recreation Elements of the County General Plan and should be in conformance with the policies and objectives of all County General Plan Elements.

c. PERMANENTLY MAINTAIN, PERIODICALLY UPDATE, AND EFFECTIVELY ENFORCE LOCAL SCENIC CONSERVATION MEASURES

If the Scenic Highways Program is to be a success, then every effort should be made to preserve scenic resources throughout time. Officially designated scenic highways that no longer meet specified minimum State standards can have the designation revoked.

d. COORDINATE AND COOPERATE WITH FEDERAL AND STATE GOVERNMENTS, ADJACENT COUNTIES, AND VARIOUS CITIES, IN ORDER TO EFFECTIVELY IMPLEMENT THE CORRIDOR PROTECTION PROGRAM

Coordination on scenic routes which cross political boundaries will allow motorists to enjoy a single, continuous scenic drive and avoid piecemeal planning.

e. SEEK STATE, FEDERAL AND OTHER SOURCES OF FINANCIAL AND LEGAL SUPPORT FOR THE IMPLEMENTATION OF THE PROGRAM

Where expenditure of funds is necessary, every effort shall be made to obtain financial support from Federal and State sources. Many legislative bills have been introduced to help local government implement scenic highway programs, and it is a certainty that there will be more to come. For this reason, it is important that local scenic highway standards be such that they place the County in an eligible position for outside funding.

2. Highway Rights-of-way

a. WORK WITH EXISTING RIGHTS-OF-WAY

The bulk of the County's effort should be on working with existing rights-of-way rather than constructing new roads through scenic areas.

b. RELATE ROADWAY STANDARDS TO THE SURROUNDING LANDSCAPE

Road standards on back-country rural scenic roads should not be so high as to obliterate the scenic values the roads are supposed to provide. Certain rural scenic roads should be widened only if traffic volumes or safety considerations so warrant.

c. RETURN ALL ABANDONED ROAD RIGHTS-OF-WAY TO THEIR NATURAL STATE

The County should restore all abandoned roadways in public ownership and within scenic highway corridors to a condition comparable to the surrounding land.

3. Scenic Corridors

a. ESTABLISH SCENIC HIGHWAY CORRIDORS ADJACENT TO SCENIC HIGHWAYS

A corridor should be created adjacent to all scenic highway rights-of-way. The corridor will vary in width and, for the most part, will include all natural and man-made features generally visible from the roadway.

b. ESTABLISH SCENIC PROTECTION MEASURES FOR SCENIC CORRIDORS

Various methods of protecting, preserving, and enhancing the scenic qualities of land within the corridor boundaries must be devised and implemented. Standards for corridor protection should parallel those established by State Scenic Highway Law (1963) and outlined in "The Scenic Route/A Guide for the Official Designation of Eligible Scenic Highways."

c. CONDUCT A DETAILED STUDY AND FORMULATE IMPLEMENTATION MEASURES FOR EACH CORRIDOR

The County-wide General Plan, of which this Element is a part, is intended to formulate a general policy regarding the scenic highway system, propose a system of scenic routes, and broadly define their corridors. The next level of detail required for the program is a precise plan which will include maps of the scenic corridors and the specific measures to be used in implementing the plan for each route.

d. PROVIDE FOR THE "MULTIPLE USE" OF CORRIDOR LAND, PROVIDING THE USES DO NOT CONFLICT WITH SCENIC VALUES

Where possible and desirable, multiple use of scenic route land may be permitted which would include, but not be limited to: bicycle, hiking, and riding

trails; roadside rests; picnicking areas; vista points; underground utilities, and so on.

e. MAINTAIN A FLEXIBLE CONCEPT OF WHAT A SCENIC CORRIDOR SHOULD BE, ESPECIALLY WHERE THE HIGHWAY TRAVERSES AN URBAN AREA

In rural areas, the goal is to preserve open space and minimize "urban-type" development. Goals for scenic highways which traverse urban areas emphasize the aesthetics of the man-made environment.



STATE HIGHWAY 155 NEAR GREENHORN SUMMIT

STANDARDS



STANDARDS FOR CORRIDOR PROTECTION

In order for a highway corridor to remain scenic, certain minimum land use and development standards must be adhered to. The standards proposed by this Element are for application in both State and County scenic highway corridors. They are purposely in conformance with State guidelines for "Official" Scenic Highways designation and are to be applied to all unincorporated areas under the County's jurisdiction upon the establishment of precise corridor boundaries. When determining whether an eligible highway merits official status, the State Citizens Advisory Committee will base its recommendations on the extent to which the standards described in this Element are part of the County's protection program.

Not all of these standards may be applicable to a particular corridor. Others not mentioned here may well be considered in order to accomplish the purposes of the program. This section serves, nevertheless, as a guide to be used by the County when managing land under its jurisdiction adjacent to scenic highways.

1. Land Use

a. LAND USE REGULATIONS

Land use regulations consistent with the policies of the General Plan should be in effect over the entire scenic highway corridor.

b. BUILDING HEIGHTS AND SETBACKS

Heights and setbacks of structures should be regulated so as not to obstruct important views. A variety of standards may be applied in order to achieve this purpose under different conditions.

c. SCREENING

Existing or indispensable offensive land uses should be effectively screened from view from the highway or inconspicuously located if within a scenic corridor. Effective screening can be accomplished by proper use of planting, grading, or attractive fencing.

2. Signs and Outdoor Advertising

a. ON-PREMISES SIGNS

The size, height, number, and type of on-premises signs allowed should be the minimum necessary for identification. The design, materials, color, texture, and/or location should relate to their surrounding environment. Every attempt should be made to use signs for identification and not as a means of advertising.

b. OFF-PREMISES SIGNS

Off-premises outdoor advertising will not be permitted in the corridor except for an approved informational or directional panel. This is a minimum standard for the "official designation" of scenic highways.

c. URBAN RELATED SIGNS

Where a scenic highway runs through an urban area, signs and outdoor advertising should be given special consideration. Sign and outdoor advertising regulations should be reviewed in their urban context and relate to such considerations as: protection of urban views, compliance with public safety, and respect for the proportionate and orderly appearance of advertising in relation to the environment.

3. Utility Lines

a. UNDERGROUND PLACEMENT

New or relocated utility lines should be placed underground whenever feasible. Consideration may be given to the placement underground or other relocation of existing overhead lines. The California Public Utilities Commission has ruled



COMMERCIAL AREA, LAKE ISABELLA

that, after December 31, 1972, all new overhead electric and communications lines, whether privately or publicly owned, will be banned when in proximity to officially designated State scenic highways, except when exempted for specified reasons.

b. LOCATION OF OVERHEAD UTILITY LINES

Alignment of new transmission and distribution lines should be such that the lines do not harm natural scenic resources nor the visual environment.

The suggested standards are:

- Avoid sites of great scenic value, including prominent ridge lines, lakes, barren sides of mountains or hills visible from scenic highways.
- Keep alignments along the bottoms of lower slopes and valleys between hills.
- Avoid crossing hill contours at right angles and avoid steep grades which expose the right-of-way to view.
- When crossing a scenic highway, utility lines should not follow the road right-of-way for extended distances.
- In rough or very hilly country, change the alignments continuously in keeping with the scale of topographic change.
- Special emphasis should be given to the preservation of natural growth of forest or timber.
- For lower voltage subtransmission or communication lines, undergrounding is desirable when alignments parallel scenic highways.
- If a proposed overhead line route can feasibly be shifted from a scenic corridor to another area, the latter route should be used.

In general, the principle involved in the location of transmission lines is the reduction of their visibility.

4. Earthwork

a. EARTHWORK OPERATIONS

Grading or earth-moving operations should be done with a minimum of disturbance to the natural ground and result in naturalistic or sculptural forms. Quarries and other excavations should be restored to an attractive appearance.

b. COVER AND SCREENING

Vegetative cover, preferably native to the area, and other screening devices should be provided to hide scars and blend with the natural landscape.

c. WATERS' EDGES

Edges of lakes, rivers, and creeks should be preserved in their natural state or treated so as to result in an attractive appearance. Edges of canals, reservoirs, and other water developments should be designed and treated so as to result in naturalistic or sculptural forms.

5. Plant Material

a. PRESERVATION

Existing specimens and stands of trees and other plant materials of outstanding value should be preserved.

b. PLANTING

Tree planting and reforestation should be carried out based on visual impact from the highway.

c. CLEARING OF VIEWS

Where necessary, selective clearing should be done in order to reveal important views from the highway.

6. Development Design

Site planning, architectural, and landscape architectural design should result in an attractive appearance from the highway and a harmonious relationship among the various elements of the development and with the existing landscape.

7. Property Maintenance

Structures on private or public properties, especially visible from the scenic highway, should be maintained in good condition and with proper attention given to a neat appearance. The grounds should be kept free from trash or other objectionable uses or effectively screened from view.

8. Historical Preservation

All efforts should be made to protect and enhance all historical structures and points of interest within the corridor.



STANDARDS FOR CORRIDOR DELINEATION

As recommended in the PRINCIPLES section of this Element, scenic corridor boundaries should be delineated. Each route will be considered separately and on a priority basis in this process. When evaluating a corridor, field surveys and the use of topographical maps are essential. Scenic highway protection standards will be applicable within the corridor area, and the same standards should be used for both State and County scenic highways. The State Department of Transportation has the responsibility of delineating boundaries for scenic highways in the State's Master Plan; whereas the County must establish corridor lines for the local scenic system. The State will provide technical assistance to the County, if requested. For official recognition of any scenic highway, the Advisory Committee (established by Section 227, Chapter 1.5, of the Streets and Highways Code) will evaluate the adequacy of the corridor boundaries as part of its recommendation to the State Director of Transportation for official status.

It is intended, therefore, that the following criteria be used when delineating scenic corridor boundaries.

1. General

In general, the scenic corridor can be defined as the visible land area outside the highway right-of-way which, for all practical purposes, can be described as the "view from the road."

2. Human Element

a. AESTHETIC JUDGMENT

No precise specifications can be established for delineation of corridor boundaries, nor can they replace the judgment of persons trained and experienced in the fields related to identification of environmental resources. The criteria below will serve as a guide on which to formulate a judgment.

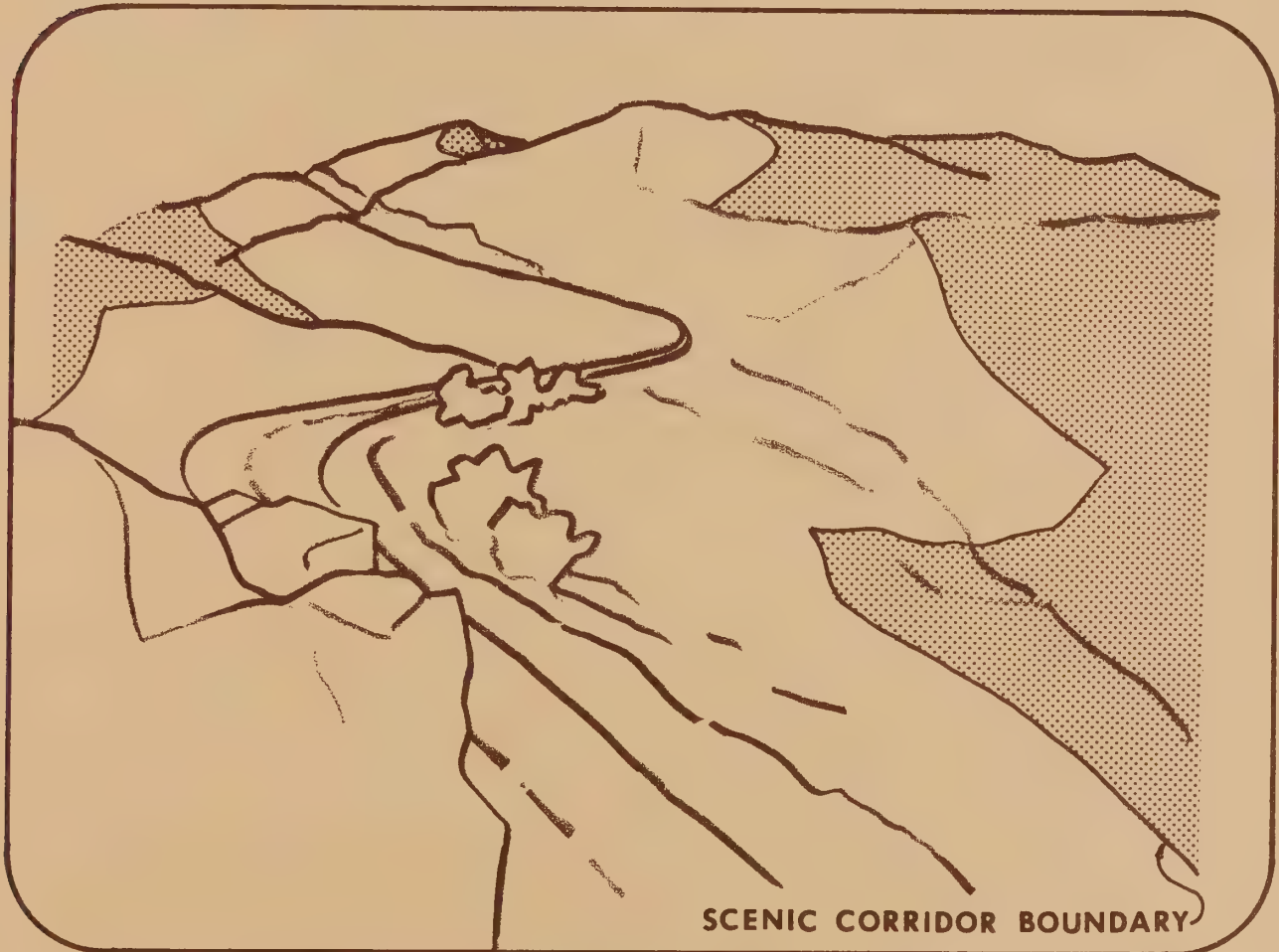
b. ANGLE AND DURATION OF VISION

Passengers generally have a wide sweep of vision. However, the driver must operate within a relatively narrow cone of vision centered on the roadway ahead, with a limited impression of lateral objects. The angle at which certain areas and features of the landscape may be seen from the highway, in both directions of travel, the foreground features framing them, and the period of time during which they can be observed will bear on the delineation of the corridor. The design speed and geometrics of the highway, and existing or proposed locations for roadside rest areas and vista points, must be taken into consideration. The scenic highway should provide the motorist with a continuous, though varied, visual experience. This continuity should be accomplished by an uninterrupted corridor.

3. Range of Visibility

a. TOPOGRAPHY

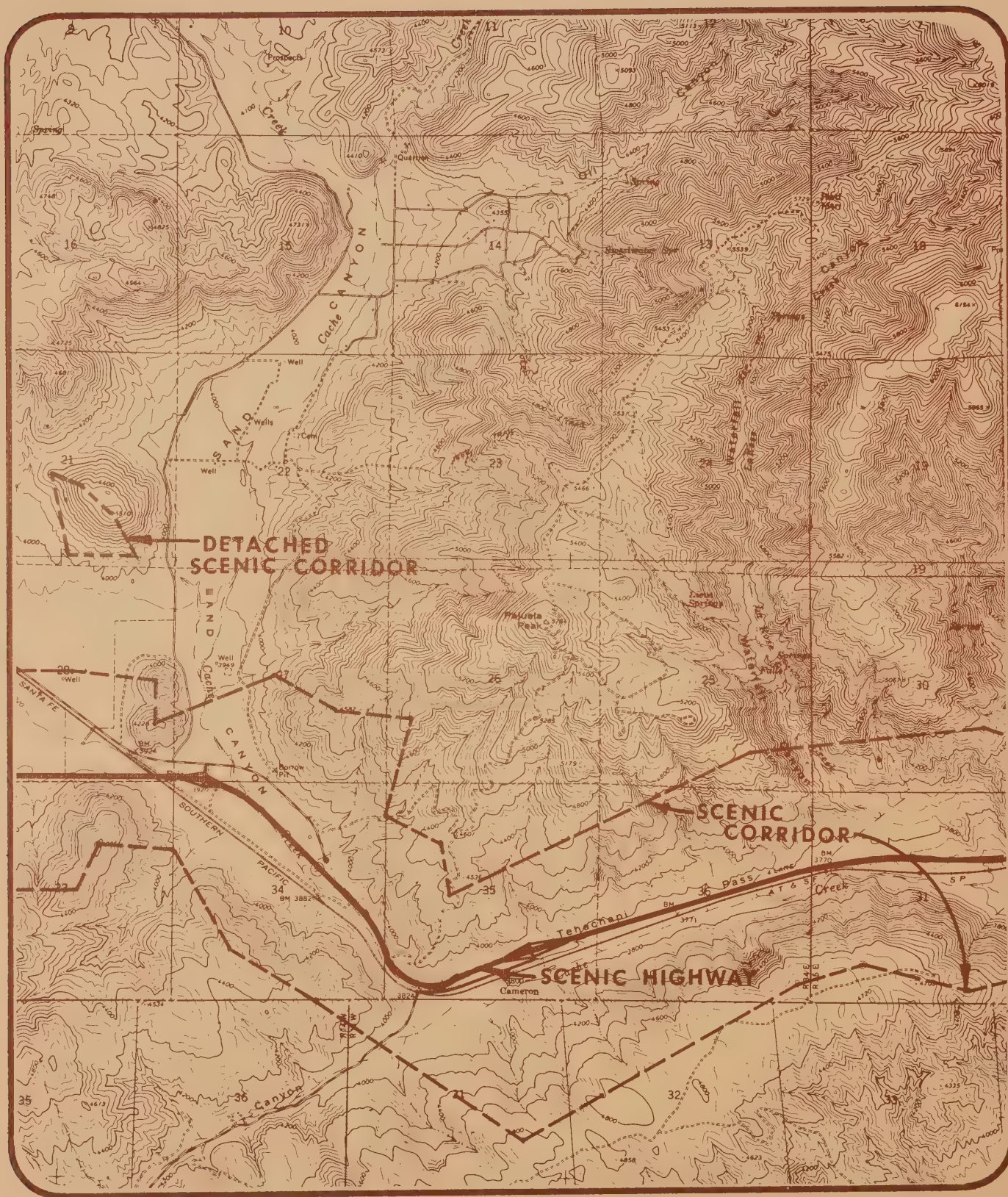
When a land form, such as the crest of a ridge, brings the range of vision from the highway close to the right-of-way, the entire visible area should be included in the corridor.



SCENIC CORRIDOR DELINEATION example 1

b. VEGETATION

Timber areas or orchards may constitute a screen at the edge of the highway. Such a screen might be removed by fire, harvesting, land use change, or selective cutting for visual enhancement. Consideration should be given to locating the corridor boundaries beyond this type of screen and into land which would otherwise be visible from the highway.



SCENIC CORRIDOR DELINEATION example 2

c. STRUCTURES

As in the preceding, structures need not be a controlling factor in establishing corridor boundaries.

d. DISTANT VISIBILITY

Where distant horizons or vast panoramas are visible from the highway, a corridor boundary closer than the visual range may be selected on criteria other than visibility. Any aesthetic standards which are enforced as part of a local Scenic Highway Program should be realistically limited to land having the greatest visual impact from the highway. In some cases, a distant, noncontiguous area may be included in the corridor, and a less critical closer area may be excluded.

4. Scenery Characteristics

a. NATURAL AND MAN-MADE FEATURES

Outstanding features, whether natural, such as water, timber, and geological formations; or man-made, such as public works or structures of architectural, historic, or civic value, should normally be included in the corridor together with their surrounding area.

b. LANDSCAPE CHARACTER

All types of landscape, whether wild, cultivated, or urban, may have scenic values and should be considered for inclusion in the corridor. The Scenic Highways appearing in the State System were selected in part to provide motorists with a diversity of experiences related to the various landscape provinces of California, their climates, and seasonal variations. In existing urban landscapes, density of development may call for narrower corridor.

c. ECOLOGICAL AREAS

The integrity of a related ecological area, and the flora and fauna constituting its scenic value, should be preserved by including all of it in the corridor whenever feasible, regardless of the visibility factor.

d. VISUAL IMPACT

The visual impact of a feature or an area may be evaluated in terms of its uniqueness, its size, and the scale of its details, boldness of form, vividness of color, and other specific characteristics in relation to its distance from the viewer and the duration of the visual experience. The degree of this impact is a factor in the inclusion of a feature for an area in the corridor.

5. Administrative Considerations

a. PROBABLE METHODS OF PROTECTION

The likelihood that certain areas will be protected by such means as acquisition for a public park or open spaces, Agricultural Preserve Contracts, or low density zoning, may influence the limits of the corridor. This underscores the need for the County to study specific implementation methods concurrently in a cooperative study to locate the corridor boundaries.

b. LEGAL BOUNDARIES

The precise boundaries of the corridor, since they are to be used for administrative purposes, may coincide wherever possible with property lines, zoning district boundaries, city limits, or other legal delineations.

C. ARBITRARY DELINEATION

In the absence of criteria such as those listed in this Element, or because of other factors of noncontrolling nature, a constant line, arbitrarily selected, may be used for the corridor boundary. At any rate, innovative techniques plus other factors not included that will assist in the determination should be tried.



STATE HIGHWAY 58 NEAR TEHACHAPI

IMPLEMENTATION



IMPLEMENTATION

The Scenic Highways Plan will be a success only by moving beyond the Plan formulation stage and into an implementation program. Ideally, such a program should consist of a joint effort between private citizens and public agencies. Some of the more common tools used by local governments to implement general plans are: zoning; subdivision regulations; specific plans; building codes; and land use tax incentives. This Element suggests the use of these and other methods to make the goals, principles, and standards contained herein become a reality. As additional methods not mentioned in this section become available, they too should be considered for their scenic preservation merits.

The degree of success of this Plan will largely depend on the public's acceptance of it and the various implementation measures utilized. These measures, in turn, will be a reflection of the level of County participation and commitment in the preservation of local scenic resources. The basic levels of participation from which the County may choose are listed below in decreasing order of significance.

- The County can follow a policy of DIRECT ACTION in the Scenic Highways Program.

This would mean an emphasis on full fee or less than fee acquisition of scenic land within established corridors.

- The County can attempt to preserve land through REGULATION.

This method would rely on subdivision regulations, adoption of specific plans for individual corridors, environmental impact assessments, and the authority of the County to zone land.

- The County can use TAX INCENTIVES to preserve corridor land.

This method encourages gifts of land or scenic easements to the public for a tax break. The County should focus its attention on unimproved land of high scenic value as viewed from a public highway. Under the California Land Conservation Act of 1965, it is legal for "Open Space" land within a scenic highway corridor to be placed under contract.

- The County can choose to rely on VOLUNTARY ACTION of citizens to preserve and maintain scenic corridor land.

This role would require the least involvement by the County and would assign the lowest priority to the County Scenic Highway Program. It would encourage gifts of land for scenic highway purposes and possibly rely on a local citizens advisory committee (similar to the State Advisory Committee) to promote the scenic highway system.

A successful system of scenic highways will require the use of corridor protection measures stemming from all of the four basic participation levels. A fur-

ther breakdown of these various levels, describing the specific action unique to each, is outlined below, generally in decreasing level of significance. After corridor boundaries are selected for a highway, it is suggested that any of the techniques listed be used where feasible and appropriate to implement the program.

1. Direct Action

a. ACQUISITION OF FULL LEGAL TITLE TO PRIME SCENIC CORRIDOR LAND IS THE MOST EFFECTIVE WAY OF PRESERVING THE QUALITY OF SCENIC HIGHWAYS. ACQUISITION MAY BE ACCOMPLISHED IN THE FOLLOWING WAYS:

1. Purchase^(a)

- a. Simple purchase: Outright negotiation of purchase and immediate full payment of price upon completion of agreement.
- b. Installment sale: Similar to simple purchase, except payment is made over a number of years. Each annual payment purchases a particular portion of the full parcel, but the seller retains possession of the property until the sale is completed.
- c. Tax sale: Purchase of tax certificates which state or local tax collectors have established as a lien on the property; sale can be negotiated with the owner.
- d. Excess land:^(b) Land declared as excess by other public agencies, such as the Department of Transportation, can be purchased at the original cost, plus interest. Highway land may also be used for parks, open space purposes, or for bicycle trails.

2. Condemnation

This must be considered as a last resort method since it is: time-consuming; expensive; and a legally questionable method of acquiring scenic land.

3. Subdivision Dedication

This method of acquisition requires the developer of a tract of land to donate land or cash as a percentage of the total land being developed. For those land subdivisions adjacent to scenic highways, donated land may be used for implementing the Scenic Corridor Plan. Such land can include scenic or historic sites, flood plains, or recreation areas.

^(a) Outright purchase of scenic land is allowed by Chapter 12, Sections 6950-7000 of the California Government Code.

^(b) Authority for use of excess highway right-of-way is established by the Porter Act of 1969, the Marler-Johnson Act of 1969, and the Bicycle Safety and Recreation Trails Act of 1971.

4. Donations^(c)

If the County maintains a sincere role in the Scenic Highways Program, it is probable that some landowners could be prevailed upon to donate some of their land within the corridor for open space purposes. An owner can donate land with conditions or restrictions to ensure the land be dedicated to scenic roadway preservation. Any money received will be deposited in the Special Interest Stopping Place Fund, as created by the California State Treasury.

b. ACQUISITION OF LESS THAN FULL OWNERSHIP (LESS THAN FULL FEE)

1. Easements^(d)

What a person actually possesses in full (fee simple) land ownership is a bundle of rights to do certain things with his land. An owner may sell a few of these rights in the property in the form of an easement. One type of easement is positive; that is, acquiring the right to do something with part of the property (i.e., right-of-way for a street, utility easement, hiking or bicycle trail, etc.). The other main category of easement is negative. This type does not permit physical access to the property, but rather, restrains the owner from doing certain things with his land (i.e., putting up billboards, digging away hillsides, removing trees, etc.). In many cases, easements may be acquired for a small cost; but in others, the cost may approach that of full-fee acquisition.

a. Conservation easements: used for the preservation of land, historic or cultural sites, scenic views, or other public assets in their natural state, which, in effect, removes all development rights from a piece of land.

b. Scenic easements: can be used for the regulation on land uses adjacent to scenic highways, such as new construction; cutting of mature trees and shrubs; outdoor advertising...all restrictions being for the purpose of preserving scenic views. (Title III of the Highway Beautification Act of 1965 provides funds for this purpose.)

c. Recreation easements: for the purpose of allowing public entry to hunt, fish, and enjoy other recreational pursuits. Can be within the extended scenic corridor boundary.

C. OTHER ACQUISITION PROGRAMS

1. Purchase and leaseback: Purchase in full of property and then leaseback to the owner for such uses as will not interfere with the scenic qualities of the property.

2. Public purchase with the return of a life interest: Property is purchased in full from owner with said owner retaining the use of the property until his death, such use reducing the price paid for the property.

^(c) Donations can be received expressly for Scenic Highway purposes under the authority of Section 155 of the Streets and Highways Code.

^(d) The County may accept grants of Open Space easements on privately owned lands by authority of Sections 51050-51065 of the Government Code.

3. Leaseholds: Not suitable for the protection of scenic land unless lease is obtained for an extremely long period of time.
4. License: Similar to a leasehold in that it does not establish any permanent interest in the land. NOT RECOMMENDED.

2. Regulation

a. ZONING ORDINANCE

The principal method of land use regulation is through the policing power of zoning. Through the application of various zone classifications, effective control of land use activities, setbacks, and densities is possible. The recognized weakness of zoning is that it is sometimes difficult to enforce and is subject to changes in political pressures and directions. Nevertheless, as an alternative to acquisition, it is recommended that zoning be used for implementing the Scenic Highways Program. The following is a summary of existing and proposed zones applicable to scenic highways.

1. Existing Zones (as contained in the Land Use Zoning Ordinance of Kern County)

a. Architectural Design Zone (D zone: Article 23)

This zone classification is important to the scenic highway system in that it provides that, "Plans of the exterior architectural design and appearance of all buildings and structures, plot plans, advertising sign plans, parking area plans, and building setback plans, shall be subject to the approval of the Planning Commission...in order that the proposed buildings, signs, and landscaping will be in harmony with other improvements in the area, and not obnoxious, undesirable or unsightly in appearance."

The current problem with the D zone, from a standpoint of scenic highways, is that it may only be applied to public facilities or to private property if requested by the owner. It is recommended that the scope of the zone be broadened in order that it may be applied by the Board of Supervisors to any area within a scenic corridor, as necessary.

b. Precise Development Zone (P-D zone: Article 25.1)

The P-D zone relates to scenic highways in that it gives the Planning Director the authority to review plans within the zone for such items as, "...the location, height, and bulk of buildings, signs, and other improvements...future public utility easements...the screening of uses from adjacent areas or public highways by fencing or landscaping; and such other matters as, in the opinion of the Planning Director, may be necessary and desirable to implement further the various elements of the adopted County General Plan."

The P-D zone, like the above-mentioned D zone, is only applicable upon the written request of all owners of all property to be located therein. For scenic corridor purposes, application of the P-D zone should not be dependent on the request of the property owner.

c. Exclusive Agricultural Zone (A zone: Article 17.2)

The purpose and intent of this zone is to preserve a maximum amount of the limited supply of agricultural land in Kern County. It relates to the objectives of this Element, since it provides for open space. Uses expressly prohibited in the A zone include: all residential subdivisions; retail and commercial establishments; most industrial and manufacturing uses; junk yards; and billboards and signs which do not identify the place of business or the use conducted on the premises.

d. Hazard Area Zoning (FP-P; FP-S; MUD: Article 21)

In some cases scenic highways may traverse natural hazard areas. Hazard area zoning should be applied to these areas where warranted.

This zoning classification can have a positive effect on scenic highways if within the scenic corridor, since it encourages open space and/or recreational land uses. Generally, the Flood Plain and MUD zones exclude: junk yards; human habitation (mobilehomes, houses, etc.); billboards; cattle feed yards; and landfills.

e. Open Space Zone (OS)

In 1972, the State Legislature passed AB 966 requiring cities and counties to prepare open space plans and adopt open space zoning ordinances consistent with those plans by June 30, 1973. This legislation was amended by SB 594, passed in June, 1972. The legislation, Section 65910 of the California Government Code, as amended, now states:

"Every city and county by December 31, 1973, shall prepare and adopt an open space zoning ordinance consistent with the local open space plan adopted pursuant to Article 10.5 (commencing with Section 65560) of Chapter 3 of this Title."

The County of Kern adopted said open space plan on June 26, 1972, titled "Open Space and Conservation Element, Being a Part of the Kern County General Plan."

The open space zone, adopted by the County of Kern, could be utilized to implement some of the Scenic Highways Element. The open space zone would serve to keep those lands with significant open space values (including scenic highway corridors) in a generally open and natural state.

2. Proposed Zones

a. Scenic Corridor Zone (SC)

This overlay zone should be created and applied within the boundaries of the scenic highway corridor. In overlay zoning, the existing zone still applies in addition to the regulations of the overlay zone. The establishment of this zone classification will constitute a recognition of the important social, recreational, and economic benefits to be derived from protecting and enhancing the scenic qualities of selected roadways. The zone should regulate off- and on-premises signs; location of overhead utility lines; screening of offensive land uses; and the control of earthwork operations. It may also relate to development design standards, building heights, setbacks, and so forth. The scenic corridor zone should be

structured so that it meets all State scenic highway standards in order that official designation may be gained for Kern highways. A model scenic corridor overlay zone has been included in the Appendix.

b. Planned Unit Development (P.U.D.)

Planned unit developments (P.U.D.) have been very effective in the preservation of open space and scenic views. P.U.D. pays the property owner for the land he has left open by allowing him to increase the development density on other portions of his land. For an example of the way P.U.D. can play an important part in saving vital natural areas and improving scenic views, take, for instance, a builder that has twenty acres of land. Ten acres may have rough terrain with trees and a stream running through it; whereas the other ten acres might be flat and featureless. Under regular zoning and subdivision requirements, the developer would be compelled to level and subdivide all the land for low-density development. P.U.D. allows the builder to transfer the density, building more units on the flat land while saving the most important natural area as scenic open space. It is recommended that the County adopt a planned unit development ordinance and zone to supplement the scenic corridor zone.

c. Other Zones

It is generally recognized that urban growth should not occur in flood plains, on prime historic sites, valuable resource lands, or aquifer recharge areas unless such use can be proven to be compatible and unintrusive. Most of the zones mentioned above have been designed to protect sensitive land and should be given special consideration for application in scenic corridor areas. Where existing or proposed zones are shown to be inadequate, other land use devices should be examined, such as a Historic Preservation zone; conditional zoning; a sign ordinance relating to scenic conservation; and other related zones.

d. Variances

It is proposed that there be strict interpretation and enforcement of variance requirements to protect the intent of scenic corridor regulations.

b. SUBDIVISION REGULATIONS

When subdivisions are allowed in the corridor, tentative map approval should be subject to conditions which carry out the intent of the Scenic Highway Program. These conditions should relate to such considerations as outlined in the "Standards" section of this Element. Consideration should be given to such items as:

- Limiting of cut and fill
- Tree preservation and planting
- Bank seeding and planting
- Low-density use of steep land
- Cluster development (P.U.D.)
- Setback from waters' edges

- Easement dedications
- Screening
- Road design standards
- Underground utilities
- Other environmental considerations

Other items relating to subdivisions found in the STANDARDS section of this Element.

C. SPECIFIC PLANS

A specific plan is a detailed plan of a designated area delineating proposed activities more precisely than a general plan. Specific plans indicate the arrangement of land use activities including: densities, height, and setbacks; existing and proposed streets; housing standards; conservation, development, and utilization of natural resources; provisions for open space; and so forth.

Under the authority of Planning Law of Title 7 of the California Government Code (see Appendix), the County may adopt a specific plan for scenic highway corridors. The plan should include the maps and measures for implementing the program for each individual highway. The use of specific plans is one of the four suggested requirements for the "Official Designation" as granted by the Scenic Highways Advisory Committee. (A list of the four minimum requirements is on page 32.)

d. ENVIRONMENTAL IMPACT REPORTS

The recent California Supreme Court decision in the case of "Friends of Mammoth vs. Mono County Board of Supervisors" requires environmental impact analyses and reports for all private and public projects having a significant adverse effect on the environment. An environmental impact analysis is an orderly and logical process by which the potential impact of a proposed development project on its immediate and more distant environments is analyzed. Environmental impact reports are required for all qualifying residential, commercial, and industrial projects; zone changes; conditional use permits; variances; precise development plans; subdivisions; and other such projects.

An environmental impact report can be an important means of assisting the implementation for the scenic highways program. Special attention should be given to aesthetic considerations when assessing the impact of projects within scenic corridors.

For example, development design should relate to scenic highway standards, and densities should be compatible with the surrounding scenic qualities of the landscape.

e. OTHER REGULATIONS

1. Building Code

Enforcement of the building code within the scenic corridor can contribute to the improvement of aesthetic or scenic qualities.

2. Fire Prevention

Enforcement of a fire prevention ordinance can indirectly help the program. Fire prevention programs may avoid unsightly burns that may destroy native flora of scenic value. Consideration may also be given to the position of fire breaks adjacent to scenic highways; however, in no case should safety be sacrificed for aesthetics. Environmental impact reports should cover such areas in more detail and consider alternatives.

3. Litter Control

Enforcement of litter control measures adjacent to highways is granted by authority of the California Vehicle Code; Chapter 12; Section 23112. Proper enforcement of the Code by the Highway Patrol should act to eliminate most of the roadside litter from scenic highways.

4. Public Works

County and State public works within view of a scenic highway should be reviewed or conducted in compliance with the intent of this plan and in accordance with the requirements of the California Environmental Quality Act.

3. Tax Incentives

Tax relief has proven to be a valuable incentive for indirectly preserving scenic land in Kern County. This policy should be pursued and coordinated with the Scenic Highway Program.

1. California Land Conservation Act of 1965 (Williamson Act) - as applied to agricultural land.

The Williamson Act provides that land used for agricultural purposes be taxed on the basis of its highest and best restricted use. The restrictions are listed in a ten-year contract designed to ensure the agricultural use of the land in return for a tax benefit for the owner. For the most part, the beauty of our rural landscape in Kern County has been created by farmers, and the Land Conservation Program is a step in the proper direction for preservation of scenic views.

2. California Land Conservation Act - as applied to other than agricultural land.

As enacted, the California Land Conservation Act of 1965 was limited in its application to agricultural land as defined by the Act. During the 1969 regular session of the legislature, eligibility was extended to certain "open space uses" defined by the Act in Section 51201(n) as follows:

"Open Space Use" is the use or maintenance of land in such a manner as to preserve its natural characteristics, beauty or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, or for the solar evaporation of sea water in the course of salt production for commercial purposes,

if such land is within:

- 1) A Scenic Highway Corridor
- 2) A wildlife habitat area
- 3) A salt pond
- 4) A managed wetland
- 5) A submerged area

Establishment of Scenic Corridors (surrounding scenic highways) by the County will allow certain nonagriculturally-used land to be eligible for a tax reduction upon agreement by the landowner to preserve the scenic qualities of the land.

3. Land Donations

A donor of land within the corridor can deduct the present market value of his property from his income tax. This can result in a substantial tax benefit to the donor and guaranteed preservation of scenic corridor land for the public. Property can be gift-deeded to a local, state, or federal agency for public open space, conservation, or recreation purposes. Programs such as gift of extensive properties with life estate rights can be an effective way to preserve an old homestead for the tax-poor/related farm or ranch people.

4. Voluntary Action

As mentioned at the beginning of this section, to rely on the voluntary action of citizens to preserve and maintain scenic corridor land would require the least involvement of the County and assign the lowest priority to the County Scenic Highway Program. Voluntary participation may take the following forms:

1. Restrictive Covenants

Adjacent landowners bind themselves and their successors to use their corridor land in a way that is compatible to the Scenic Highway Program.

2. Land Trusts

Donated land is administered for the public interest by private self-perpetuating boards which are not subject to governmental political action.

3. Voluntary "Scenic Lands" Committee

A scenic land preservation committee should be formed consisting of members from all areas of the County who have an interest in beautifying Kern County. They could inventory areas worthy of scenic preservation and address themselves to such considerations where unsightly development proposals threaten scenic highways.

IMPLEMENTATION GUIDELINES

For Official Designation

It is within the County's authority to develop its own implementation program. Kern County need not follow state implementation guidelines for "official" scenic highway designation if it does not desire to do so. It is recommended, however, that the "official" designation be sought for all routes proposed in this plan, since such a designation will qualify the County for present and probably forthcoming benefits. The California Department of Transportation has listed four minimum implementation measures in its publication, The Scenic Route: A Guide for the Official Designation of Eligible Scenic Highways. These measures should be followed by the County in its program.

1. ADOPT GENERAL PLAN MAP AND POLICY STATEMENT

It is required that an element, relating to the enhancement of environmental resources and other elements of the County's general plan, be adopted by the Planning Commission and local legislative body pursuant to State planning law. (It is intended that this general plan element meet this first requirement.)

2. ADOPT SPECIFIC DEVELOPMENT PLAN OF EACH SCENIC HIGHWAY CORRIDOR

The County should adopt a specific plan for each scenic highway corridor under the authority of Planning Law of Title 7 of the California Government Code (see Appendix). The plan should include the maps and measures for implementing the program for the specific Scenic Highways.

3. SIGN OR BILLBOARD ORDINANCE

Off-premises advertising must be prohibited within the corridor, except in the case of an approved information panel. An adopted program for the eventual elimination of existing off-premises advertising will be acceptable. For outdoor advertising that might be necessary, it is suggested that information panels be utilized and located in an inconspicuous manner within the corridor. (This sign ordinance may relate only to Scenic Highways and, if sign controls are not adequately provided for in the existing County zoning ordinance, a special Scenic Highways Overlay Zone can be adopted which incorporates off-premises sign considerations.)

4. LAND USE REGULATIONS

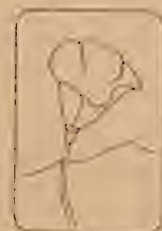
An adequate zoning ordinance with proper administrative and enforcement provisions will be considered to be the minimum acceptable measure. Site plan (corridor) or architectural design review and performance standards may be included as a part of the ordinance. Contracts under the Land Conservation Act may be considered to be acceptable for fulfilling this requirement.

The County Board of Supervisors should use whatever means feasible for the implementation of the County Scenic Highways Program. The methods listed in this section should act only as a guide for use in protecting scenic land adjacent to the system. It is not expected that all the methods be used in every case, but it is intended that the most practical and effective implementation devices will be considered and, if selected, be judiciously applied.



CALIENTE CREEK ROAD

PROCEDURES



PROCEDURES

For Official Designation

This section was included in order to outline the procedures which must be followed to gain official designation for scenic highways proposed by this Plan. As mentioned elsewhere, official designation can only be obtained with the State's consent. Although it is mandatory that the County adopt a Scenic Highways Element of the General Plan, it is not required by State law that local highways be officially designated. From the standpoint of the success of the program, however, it is recommended that official designation be sought for all scenic highways proposed in this Element.

When an eligible highway becomes an official scenic highway, it will be indicated in all publications of the Department of Transportation or in any maps which are issued by the Department to the public. The State will also place scenic highway "poppy" signs along all State highways which are in the State Master Plan and that have been officially designated. In addition to the above benefits, the Scenic Highways Advisory Committee has recommended in the 1972 Scenic Highway System Progress Report that additional incentives be offered to counties to encourage implementation of the program. Kern County has about 95 miles of State highway in the State Master Plan, and this Element identifies approximately 390 miles of County Scenic Highways to supplement the State system.

The following is an outline of procedures to be followed for official scenic highway designation. Although these are currently in effect, it should be recognized that they may change in the future and, in all cases, this section of the Element should be kept in conformance with State guidelines.

1. Initiation

a. ELIGIBILITY

Any highway shown on the State's Master Plan of Scenic Highways (see Appendix) is eligible to become qualified as an officially designated State Scenic Highway.

Any County Scenic Highway, so classified in a county's adopted master or general plan, is similarly eligible for State approval as an officially designated County Scenic Highway.

Standards for the selection of highways, State or County, which may be considered as eligible for official designation are contained in the publication, The Scenic Route: A Guide for the Official Designation of Eligible Scenic Highways. These criteria were utilized by the Advisory Committee in recommending the routes shown in the State's Master Plan and by the Planning Commission in selecting eligible County Scenic Highways.

b. LOCAL JURISDICTION

The legislative body of a county or city having jurisdiction over lands adjacent to eligible Scenic Highways has the responsibility for initiation of corridor

studies leading to official designation. (In Kern County, the legislative body is, of course, the Board of Supervisors.)

The local legislative body may request the Department of Transportation to conduct the studies or may delegate its authority to initiate studies, in cooperation with the Department, to a department, employee, commission, or committee, provided, however, that in any event, a cooperative State-local approach is obtained. When a local jurisdiction desires that a study be conducted leading to official designation of an eligible route, the legislative body or its appointed delegate will notify, in writing, the District Director of the Department of Transportation. The Department of Transportation District Office staff will conduct the corridor survey in cooperation and coordination with the local governmental staff.

By Minute Order No. 246, dated July 6, 1971, the Board of Supervisors requested a Scenic Highways study of Routes 14, 58, and 395 by the State Division of Highways (Department of Transportation). This study has been completed. Also, by Minute Order No. 259, dated August 29, 1972, the Division (Department) was requested to undertake a similar study of State Highway 41.

C. OTHER PUBLIC AGENCIES

Local jurisdictions and other public (Federal, State, and local) agencies are encouraged to coordinate their activities in initiating and conducting studies leading to official designation of eligible Scenic Highways.

d. STATE OF CALIFORNIA

Responsibility for coordinating both the State and County Scenic Highways programs resides primarily with the State; however, the State generally will not act on the programs until such time as local government requests assistance from the State Department of Transportation.

In the case of initiation of Scenic Highways studies by the District Director, the local jurisdiction will be notified that a preliminary study is to be undertaken. The Department will coordinate the studies and assist other governmental agencies upon request in the achievement of official Scenic Highway designations.

2. Scenic Highway Studies

a. CORRIDOR SURVEY AND HIGHWAY FACILITY STUDY

Following initiation by the local jurisdiction, the State Department of Transportation staff will coordinate and conduct two studies entitled, "Corridor Survey" and "Highway Facility Study." The results of these two studies will be prepared, in cooperation with the local jurisdiction, by the District Department of Transportation staff in a single comprehensive Scenic Highway Report.

The Report will contain maps, photographs, and other necessary documentation showing:

a. Suggested Scenic Highway Corridor boundaries.

- b. Scenic elements within the suggested corridor.
- c. The relationship of the right-of-way to its surrounding environment.
- d. Suggested preservation of the scenic and aesthetic elements of the visual environment.
- e. Any proposed realignments of the route, if known.
- f. Potential locations of roadside rests, vista points, and areas for public or commercial information sites.

Upon completion, the report, when approved by Headquarters Department of Transportation, will be submitted to the local jurisdiction for its use in the preparation of the local scenic corridor protection and enhancement plan and program.

(This study has been completed for State Routes 14 and 58 and Highway 395 and is available at the Planning Department, 1103 Golden State Avenue, Bakersfield.)

b. CORRIDOR PLAN AND PROGRAM

The local jurisdiction shall prepare, with assistance from the Department of Transportation staff, as requested, the Scenic Highway Specific Plan (see Appendix) and Program of proposed implementation measures (see Implementation section). These two requirements are necessary to follow if the County is to have its scenic highways "officially designated."

The local corridor plan and program should provide for the protection and enhancement of the existing natural and man-made scenic resources that contributed to the highway being included in the Master Plan. This is the primary purpose of the program. Under the policing powers given to local government by the State, it is entirely feasible for local governmental bodies to direct their efforts toward eliminating and/or preventing any unsightly development to occur within the corridor through a program involving the reasonable exercise of its powers.

Local government and the Department of Transportation are encouraged to coordinate with any and all other public, quasi public, or private jurisdictions, agencies, groups, bodies, or individuals having control over, or ownership of, lands within the corridor in the preparation of their scenic corridor specific plans and programs.

3. Review

a. DEPARTMENT OF TRANSPORTATION

The Department of Transportation District staff will forward to the Inter-departmental Committee on Scenic Highways the local Scenic Highway Plan and Program with its comments, together with the District Scenic Highway Report. The Department, through Section 261 of the California Streets and Highways Code, is responsible for administration of the Scenic Highways Program.

b. INTERDEPARTMENTAL COMMITTEE ON SCENIC HIGHWAYS

This Committee is comprised of representatives of State departments rendering assistance to the Advisory Committee. The chairman of the Interdepartmental Committee shall forward the aforementioned report to the Interdepartmental Committee members for their review and comments. The studies will then be forwarded through the Secretary of the Advisory Committee to the Advisory Committee members together with comments of the Interdepartmental Committee.

c. SCENIC HIGHWAY ADVISORY COMMITTEE

The Committee consists of seven members appointed by the Governor from among officials of cities and counties, persons having special competence in the field of landscape architecture, land planning, and so forth. It was established under Section 227 of the Streets and Highways Code.

The State Director of Transportation shall call a meeting of the Advisory Committee in order to review the proposal for designation as an Official Scenic Highway. The Committee shall then make its findings regarding the proposal and send them to said Director with its recommendation.

d. DEPARTMENT OF TRANSPORTATION

The State Director of Transportation shall inform the local jurisdiction and the Division of Highways of his determination of the qualification of the proposal for Official Scenic Highway designation. His approval shall mean that if the local jurisdiction carries out its Scenic Highway Plan and Program as outlined in their proposal, he will, with the advice of the Advisory Committee, designate the route to be an official State Scenic Highway. County roads are declared official County Scenic Highways by the County Board of Supervisors when authorized to do so by the State Director of Transportation.

4. Implementation

a. PROGRAM ENACTMENT

The scenic corridor boundaries and the local Scenic Highway Plan and Program, identifying the land use regulation measures to be utilized within the corridor, shall be adopted by the local Planning Commission and county Board of Supervisors.

In many instances, the local jurisdiction has previously adopted the measures necessary to implement its scenic highway plan. In such cases, only the plan, program, and corridor boundaries need to be adopted. In others, the local jurisdiction will be required to prepare the plan and implementation measures and may wish to submit its preliminary proposal to the Advisory Committee, prior to the required adoption, for the Committee's review and recommendation.

b. APPLICATION FOR DESIGNATION

Upon adoption of the plan and program of implementation measures, the local jurisdiction shall make an application to the District Director of Transportation for official designation. The application should be in the form of a written com-

munication containing a brief descriptive report of the adopted measures or policies for plan implementation together with a zone map of this corridor area.

The application, District Scenic Highway Report, and the local plan and program will be processed in accordance with the procedures described under Section C.

C. OFFICIAL DESIGNATION

Upon receipt of the findings and recommendations of the Advisory Committee, the State Director of Transportation may make his own review.

He then shall designate the highway as an Official State Scenic Highway and notify the Advisory Committee and local jurisdiction of the action.

The designated route may then be indicated as an Official Scenic Highway on any map or other publications, and the highway will be properly signed as such.

d. ENFORCEMENT

The measures adopted by the local jurisdiction for the protection of the corridor, as identified in the local plan and program, shall be effectively maintained, upgraded, and enforced by the local jurisdiction in order to retain official designation.

The local jurisdiction shall report in writing to the District Director of Transportation on an annual basis on the maintenance or any modification to its plan and program of implementation measures, as approved upon official designation.

The State Department of Transportation shall report to the Advisory Committee, through the Interdepartmental Committee, on an annual basis on this status.

e. REVOCATION

The Advisory Committee, upon finding that the corridor no longer meets the minimum standards for official designation, based on the reports of the State Department of Transportation, the Interdepartmental Committee, or upon its own initiative, may recommend to the State Director of Transportation that designation of the highway be revoked.

After conferring with the local jurisdiction, the State Director of Transportation may, upon the recommendation of the Committee and upon his own findings, revoke the designation of a highway as an official Scenic Highway. Such reference shall then be deleted from new maps or other publications and signs which so identify the highway shall be removed.

5. Eligible Scenic Highways NOT in State's Master Plan

a. COUNTY SCENIC HIGHWAYS

County roads may be designated as official County Scenic Highways by the

County Board of Supervisors after the State Director of Transportation has found that all necessary requirements have been met. All standards and procedures prescribed in this guide for State Scenic Highways shall apply equally to County Scenic Highways. The Department of Transportation will not, in this case, undertake a Scenic Highway Study but will be available upon request to consult with the local jurisdiction regarding the technical aspects of this program. It is the responsibility of the Planning Department to undertake a study in this case.

STATE HIGHWAYS

Only the State Legislature may amend the State's Master Plan of highways eligible for Official Scenic Highway designation. Local jurisdictions are advised to adopt meaningful policies and measures for the protection and enhancement of all areas where the visual environment is threatened, whether or not the areas are within view of State Scenic Highways.



GRANITE ROAD, NEAR GLENNVILLE

ISSUES AND CONFLICTS



POSSIBLE ISSUES AND CONFLICTS

Although almost everyone is in favor of preserving the scenic attractions of our County, it is a certainty that the Scenic Highway Program will be met with some opposition. This opposition will stem from the fact that land use regulations will be needed if highways are, in fact, to remain scenic. Any new regulation, whether by ordinance or by enforceable policy, almost always becomes controversial to a certain degree. The degree of controversy and conflict will generally depend on how involved the County wishes to become in protecting scenic corridors. The possible levels of involvement, which are more fully described in the IMPLEMENTATION section of this report, are: 1) land acquisition; 2) land use regulation; 3) tax incentives; and 4) voluntary action.

It is important to understand and plan for all possible conflicts so they may be quickly resolved and the proposed program implemented. The following list summarizes the special interest groups which the Kern County Scenic Highways Program can expect to encounter.

● TAXPAYERS VERSUS THE COST OF THE SCENIC HIGHWAYS PROGRAM

The bulk of county services are supported by property taxes, and landowners are becoming increasingly opposed to any increase in such taxes. Therefore, any realistic scenic land preservation program involving expenditures must include recognition that the traditional sources of government funding are extremely limited. It can be assumed that most taxpayers support the idea of scenic highways as long as their personal finances are not strained. For this reason, most funding for the program will have to be sought at the federal and state levels. A number of bills relating to scenic highways have been introduced, and grants for local program implementation are foreseeable.

● RURAL LANDOWNERS VERSUS GOVERNMENT CONTROL OF PRIVATE LAND

This issue involves the conflict over increasing government control of private land. Many rural residents, by choosing to live outside the city, show that they place a premium on open space values. If they are landowners, their self-interest is usually served best if the land around them is kept scenic. Yet in many cases, resistance to controls which are necessary to preserve the scenic landscape is not uncommon among rural landowners. Part of the reason appears to be the resistance of some persons to greater governmental control without the realization that we live in a more complex society today. Also, there is a concern that protective measures will decrease the value of one's land and that "some" controls lead to "more" controls. The only land use regulations the county may impose are those that directly relate to scenic land preservation, which, in the long run, should act to stabilize or raise property values.

● LAND CORPORATIONS AND DEVELOPERS VERSUS GOVERNMENT CONTROLS

Directly opposing scenic land values in many cases are the owners, developers, and their agents wishing to convert their land to urban-type development. Opposition to government restrictions is strong, since the common belief is that restrictions reduce profits. An owner wishing to retain maximum flexibility in the disposition of his own property should realize that such flexibility--if shared widely among his neighbors--could lead to a general downgrading of the county. The term

"highest and best" use of the land is frequently used by land developers. However, in many cases, the "highest" use is not always the "best." In scenic areas, this situation becomes even more apparent.

The conflict between developers and scenic highway preservation efforts presents government officials with the difficult decision of whether individual interests (resulting in possible tax benefits) or the public's interest in preserving scenic land is best served.

● CONSERVATIONISTS VERSUS DEVELOPERS

Government officials often find themselves caught in the middle between conservationists and developers. The more outspoken conservationists occasionally accuse the county of siding with development interests. Conservationists claim to be the spokesmen for the natural environment, and their interest often transcends a political role. For example, one conservation group in Kern County has actually purchased land in order that it may be preserved as open space. While the conservationist-developer conflict cannot be reconciled, steps should be taken to involve all interest groups at an early stage in the planning process.

The county may choose to make a more systematic evaluation of the opposing viewpoints in order to determine what course of action will be best for the county as a whole. It seems that two important actions are necessary in assisting officials to make this judgment.

- 1) A cost-benefit analysis of rural projects should be made to determine whether they will be a financial asset to the county, and;
- 2) An evaluation should be made of the environmental and aesthetic impact of all scenic corridor projects to ensure they are in keeping with the objectives of the Scenic Highways Program.

● OUTDOOR ADVERTISERS VERSUS SCENIC PRESERVATION MEASURES

Scenic values and outdoor advertising are generally incompatible. Advertising which does not relate to the activity occurring on the premises on which the sign is located and large signs which attempt to flag down motorists must be prohibited within the scenic corridor. Examples of excessively tall and unsightly freestanding signs can be readily found in metropolitan Bakersfield. Most have been strategically located so they may be viewed by motorists traveling on Highway 99, and some are not only distracting but also may contribute to unsafe traffic conditions and mar the natural beauty and image of the county.

One of the four minimum standards established by the State Scenic Highways Act of 1963 is the elimination of off-premises advertising along state scenic highways. Any effective county scenic highways program must contain this same minimum standard.

Major opposition to the banning of billboards along scenic highways will probably come from the outdoor advertising industry. It is a powerful lobby against restrictive legislation, since its survival is dependent on this form of advertising. One possible solution may be to allow the use of approved information panels located in an inconspicuous manner within the corridor for outdoor advertising that is thought to be necessary.

● GOVERNMENT VERSUS GOVERNMENT

Some conflicts are present within the government. Since many government agencies reflect the interests of their constituencies, it is inevitable that scenic corridor preservation conflicts on the "outside" will be reflected in inter-agency disputes. Differences of opinion over open space policy and control are evident among federal, state, and local agencies. In addition, various county departments may be in disagreement over scenic highway and open space issues.

Differences among government agencies should be reconciled whenever possible by clear governmental policy on basic issues.

● THE ISSUE OF INVERSE CONDEMNATION

Property owners and land developers may be expected to periodically question whether the establishment of scenic highways constitutes "inverse condemnation" of adjacent privately-owned property. The procedures for the establishment of scenic highways discussed herein have been carefully prepared with these considerations in mind and in accordance with existing State law. "Inverse condemnation" can only be a valid contention when it can be shown that there has been a "taking" without compensation rather than an action based upon a reasonable and legitimate exercise of governmental regulatory power.



KERN RIVER CANYON

ELIGIBLE SCENIC ROUTES



ELIGIBLE SCENIC ROUTES

The highways listed in this section of the Element are eligible to become scenic routes. The list contains those highways as described in the State Master Plan (Section 263 of the Streets and Highways Code), as well as local roadways not in the Master Plan but, nevertheless, eligible for the official designation. The former will be referred to as State Scenic Highways, and all others will be identified as County Scenic Routes, which is pursuant to the California Streets and Highways Code. Section 154 of the Code authorizes a system of local scenic highways to supplement the system in the following paragraph:

"Section 154. The [State] department [of Transportation] shall encourage the construction and development by counties of portions of the county highways as official county scenic highways...[and] the department may authorize the county in which the highway is located to designate the highway as an official county scenic highway, and the department shall so indicate the highway in its publications and maps."

The routes listed below are categorized in their recommended order of implementation. Corridors should be established for each highway using the criteria in the portion of this Element entitled, STANDARDS FOR CORRIDOR DELINEATION. New routes should be added to this list as the need arises, and the appropriate priority should be assigned to all additions on the basis of the scenic qualities the route offers and the degree to which these qualities are threatened by noncompatible land uses.

STATE SCENIC HIGHWAYS

ROUTE 1 (consisting of State Route 14 and Highway 395--see map on page 46)

DESCRIPTION - This scenic route consists of portions of State Route 14 and Highway 395. It begins north of Mojave and runs in a northerly direction to the Inyo County line. At this point, it connects with Inyo County's scenic highway system. Route 1 traverses high desert land, hilly areas, and is backed by the spectacular Sierra Nevada Mountain Range. The plant life indigenous to the area is especially scenic in the early spring when wildflowers are in bloom.

APPROXIMATE LENGTH - 60 miles

POINTS OF INTEREST

a. 20-Mule Team Terminus (SRL* 652)

The town of Mojave was the site of the rail terminus for the famous 20-mule team borax outfits from Death Valley during 1884-1889.

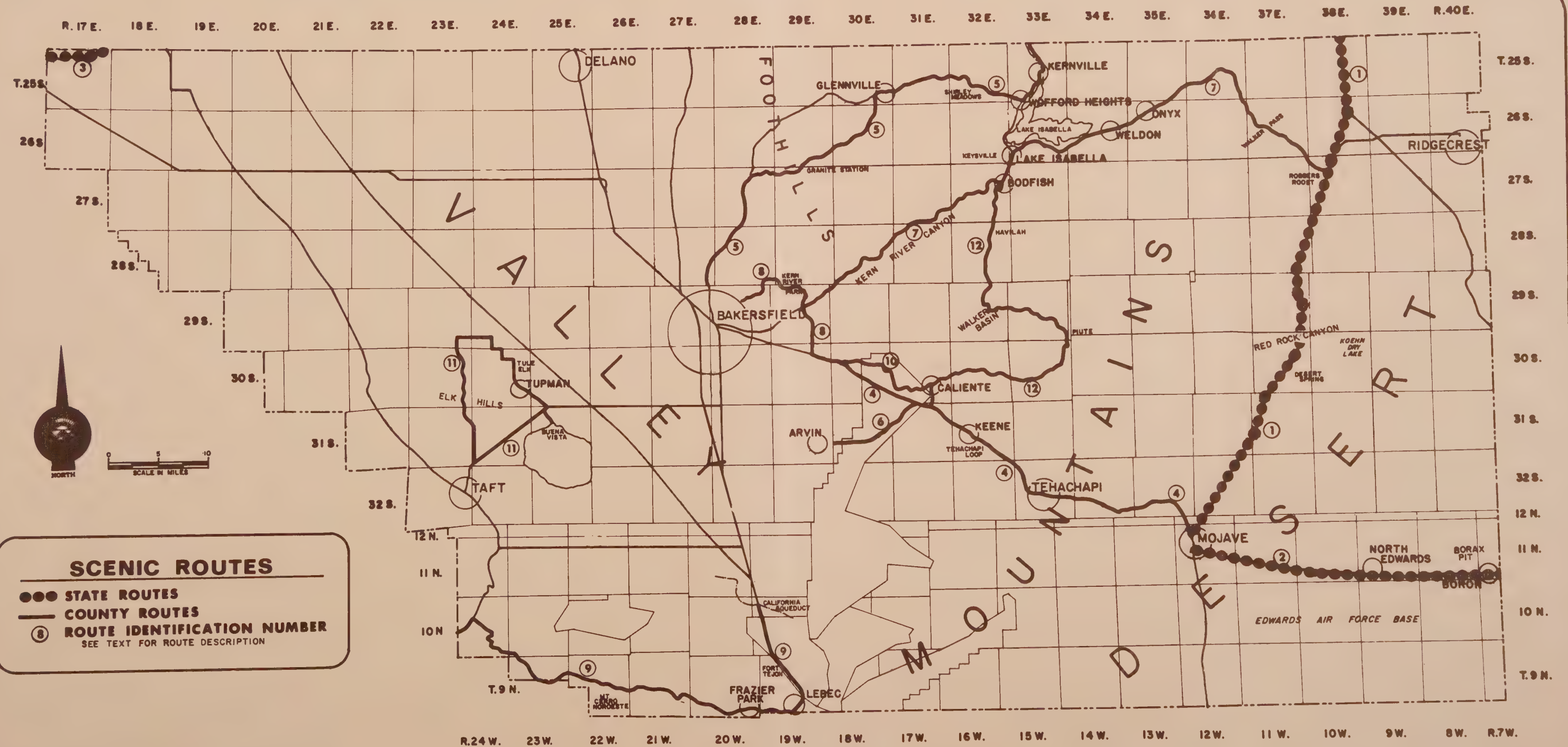
b. Desert Springs (SRL 14)

* SRL stands for State Registered Landmark

STATE SCENIC HIGHWAY MASTER PLAN



Officially Designated State Highway Signs



This point of interest lies a few miles east of State Highway 14 and is a State Registered Landmark. Desert Springs is a waterhole that was used by Indians in the pre-white days. It has been utilized by such historical figures as Joseph R. Walker, in 1834, and John Fremont, in 1844.

c. Robbers Roost

This historic rock formation can easily be seen from State Route 14 just west of Freeman Junction. It was perfectly formed by nature as a hiding place for Kern's early stagecoach outlaws and has sometimes been referred to as "Bandit Rock." From this vantage point, some of Kern's most famous outlaws, such as Vasquez, preyed upon rich bullion shipments and wealthy stagecoach travelers.

d. Red Rock Canyon

State Highway 14 traverses these fantastic and colorful rock formations which are a part of the El Paso Mountain Range. This area was once famous for its rich gold placer diggings and was the scene of several stagecoach robberies. Roadside rest facilities are available.



RED ROCK CANYON

e. Freeman Junction (SRL 766)

Freeman S. Raymond, a 49'er from Boston, established a stage station here in 1874, when the watering place was known as Coyote Holes. The site was a strategic junction of a road leading through Walker Pass to the Kern River mines (now Highway 178), and the main desert artery between Inyo and Los Angeles (State Route 14).

f. Salt Beds

Located at Saltdale, southeast of Route 14, on the Koehn Dry Lake brines. Salt is produced by a solar evaporation process.

ROUTE 2 (consisting of State Route 58)

DESCRIPTION - This eligible State scenic route begins at the south end of Mojave and continues east through Boron to the San Bernardino County line. At this point, it links up with a San Bernardino scenic highway. Route 58 crosses a desert landscape which is dotted with Joshua trees and covered with a spectacular wildflower display in the early spring.

APPROXIMATE LENGTH - 30 miles

POINTS OF INTEREST

a. 20-Mule Team Terminus (SRL 652)

Described above

b. Red Hills

The Red Hills are a rockhound mecca, just east of State Route 58. Chapinite and green moss agate may be found here.

c. Castle Butte

This is a prominent landmark visible from Highway 58 and also a popular rock collecting spot. Castle Butte is distinguishable by its rugged appearance and many colors on its surface. Petrified palm root, jasper, and agate are common to the area.

d. Edwards Air Force Base

The north gate of Edwards is immediately south of Highway 58. Edwards is the home of the U. S. Air Force Flight Test Center. Experimental and production aircraft testing, aerospace research, and astronauts' training are conducted here.

e. World's Largest Borax Deposit

The world's largest open-pit borax mining operation is located immediately north of Highway 58 and the town of Boron. The pit is over 300 feet deep, and the plant supplies over 75% of the world's borax. Nearby is a span of 20-mule team wagons which hauled borax from Death Valley to Mojave during the 1880's.

ROUTE 3 (consisting of State Route 41)

DESCRIPTION - State Route 41 traverses the extreme northwest corner of Kern County and connects Kings and San Luis Obispo Counties. Although this is only a very small segment of the entire Route, it is important in that it provides continuity to the entire scenic highway system.

APPROXIMATE LENGTH - 5 miles

COUNTY SCENIC HIGHWAYS

ROUTE 4 (consisting of State Route 58)

DESCRIPTION - This eligible County Scenic Highway consists of State Route 58, which runs from Comanche Drive to State Route 14 west of Mojave. The Route traverses pastoral Sierra Nevada foothills and parallels the famous Southern Pacific Railroad line, which was constructed in the 1870's. Route 4 passes through three distinct types of terrain: valley; mountains; and desert. It is possible that this portion of Highway 58 will be included in the State Master Plan because of its diversified scenic qualities.

APPROXIMATE LENGTH - 50 miles

POINTS OF INTEREST

a. Jedediah Strong Smith Trail (SRL 660)

Smith was one of the first Americans to encroach on Spanish California. In 1826, he led a band of fur traders into the Mojave Desert, then northwest (along



STATE HIGHWAY 58 NEAR KEENE

Route 58) through the Tehachapi Mountains into the San Joaquin Valley. Kit Carson followed the same route with a party of trappers in 1830.

b. Caliente (SRL 757)

Caliente is an historic town located between Bakersfield and Tehachapi. The site was first known in the early 1870's as Agua Caliente (Hot Water) because of hot springs in the canyon. Later it was called Allen's Camp for Gabriel Allen, and

in 1874, it became Caliente when the Southern Pacific Railroad established a work depot here while constructing its line through the Tehachapi Mountains. This boom



CALIENTE

town had 3,000 residents and more than 20 saloons in 1875.

c. Tehachapi (Walong) Loop

This famous railroad engineering feat may be seen seven miles west of Tehachapi off Highway 58. The loop was constructed in 1876 by the Southern Pacific Railroad. The entire line, which parallels State Route 58, has 18 tunnels and took over 3,000 men to build.

d. Old Town (Williamsburg - SRL 643)

Established in late 1860's in the rolling hills at the western end of Tehachapi Valley. The town was first called Williamsburg after James E. Williams, a pioneer businessman. The town was later abandoned after the construction of Tehachapi.

e. Tehachapi Mountain Park

Picturesque, pine-shaded County mountain park, seven miles southwest of Tehachapi off Highway 58. Barbecue pits, tables, picnicking facilities, and winter sports are a part of this 570-acre recreation area, which varies in elevation from 5,000 to 7,000 feet.

f. Sand Canyon and Horse Canyon

Agate country for rockhounds; Indian caves; and Indian potholes. Area lies between Tehachapi and Mojave off Highway 58; turn left on Sand Canyon Road eight miles east of Tehachapi.

ROUTE 5 (consisting of Bakersfield-Glennville Road, Granite Road, and State Route 155)

DESCRIPTION - This scenic road begins at the junction of James Road and the Bakersfield-Glennville Road in metropolitan Bakersfield and continues north to Granite Road and then along Granite Road to State Route 155. From this point, the scenic route follows Highway 155 past Alta Sierra and to Wofford Heights. At Wofford Heights, the Route proceeds northward along Burlando Road to Kernville, thence north to the Kern-Tulare County line via Sierra Way.

Route 5 passes through some of the most beautiful rural landscapes in Kern County. The Route is characterized by rolling hills; oak trees; distinctive granite outcroppings; some of the most spectacular wildflower displays in the State; evergreen trees in the mountainous areas (6000'+); and Lake Isabella.

APPROXIMATE LENGTH - 70 miles

POINTS OF INTEREST

a. Posey Station (SRL 539)

A stage station on the Butterfield Overland Mail Route between 1858 and 1861. An identification marker is located at the intersection of Bakersfield-Glennville Road and Round Mountain Road, about three miles west of the station.

b. Granite Station

Stage stop between Bakersfield and Linn's Valley, built during early 1870's. Post Office was established here in 1875. The site takes its name from the granite



GRANITE STATION

outcroppings which indicate a prehistoric shoreline. Granite Station is located north of Poso Creek and about 12 miles southwest of Glennville.

c. Lavers Crossing (SRL 672)

An early pioneer activity center west of Glennville, northerly of Highway 155. The crossing was a road next to David Lavers' home and hotel (1858), which crossed Poso Creek to connect Visalia to the Kern River mines.

d. Glennville Adobe (SRL 495)

The adobe is adjacent to Highway 155 in Glennville. This is the oldest known residence in Kern County, built by Thomas Fitzgerald as an Indian trading post at the intersection of two ancient trails. The town of Glennville also contains the County's oldest Protestant structure, the Glennville Community Church, built in 1866.

e. Greenhorn-Shirley Meadows

Pine-shrouded 160-acre mountain park at the 6,000-7,000-foot elevation. Camp-



GREENHORN MOUNTAINS

sites, barbecue pits, picnic tables are available. Ski tows are located about three miles from State Route 155.

f. Lake Isabella-Kern River Valley

All-year lake fishing, hunting, riding, hiking, camping, golfing, and water skiing. Century-old mining towns nearby.



LAKE ISABELLA

ROUTE 6 (consisting of State Highway 223)

DESCRIPTION - This route begins west of Caliente at the junction of State Highway 223 with Highway 58. From here it runs south along State Highway 223 to its terminus at Towerline Road. This road traverses a rural foothill area and affords the traveler with a panoramic view of Kern's agricultural empire. This portion of of Route 223 is commonly referred to as White Wolf Grade and offers a wildflower spectacle which is one of the most beautiful in the nation.

APPROXIMATE LENGTH - 9 miles

POINTS OF INTEREST

a. Padre Garces Monument

Garces crossed this area about 1776 on his trip to the Valley.

ROUTE 7 (consisting of Highway 178)

DESCRIPTION - This Route begins at Alfred Harrell Highway and continues east along Highway 178 to its junction at State Highway 14. It is proposed that the existing Route 178 be designated as the Scenic Route, not the new freeway. The highway runs through the Sierra foothills and Kern Canyon, along the south shore of Lake Isabella and east to Freeman Junction at Route 14.

APPROXIMATE LENGTH - 82 miles

POINTS OF INTEREST

a. Keysville (SRL 98)

The first town in Kern County. This gold camp was established in 1853, and it is located three miles west from the west shore of Lake Isabella.

b. Lake Isabella

See description for Route 5.

c. Edward M. Kern Campsite (SRL 742)

Marker located on State Route 178 near Isabella Dam. The Talbot party of Fremont's third western expedition camped near this spot during the winter of 1845-1846. Kern River and Kern County were named in honor of Edward M. Kern, topographer for the expedition.

d. Weldon

Historic town east of Lake Isabella on Route 178. First cattle operation in Kern began here in 1852.

e. Walker's Pass (SRL 99)

Fifteen miles west of Freeman on State Route 178. A major pass through Sierra Nevada, discovered by Joseph R. Walker. This pass is both a national and state landmark.

f. Freeman Junction

Described under Route 1.

ROUTE 8 (consisting of Alfred Harrell Highway and Comanche Drive)

DESCRIPTION - This Route begins at the city limits near Panorama Drive, extends along Alfred Harrell Highway and, at Highway 178, jogs south to pick up Comanche Drive to Highway 58. This drive affords the motorist with a bird's-eye view of Kern's oilfield around Panorama Drive and, also, of the County's agricultural fields and urban Bakersfield from Comanche Drive.

APPROXIMATE LENGTH - 15 miles

POINTS OF INTEREST

a. Kern Oilfields

The Kern River oilfield is visible from this route. Kern is the leading oil-producing county in the State, and this field produces a good proportion of Kern's oil. Kern River Discovery Well (SRL 290) is a few miles from Alfred Harrell Highway on Round Mountain Road. It was hand dug in 1899.

b. Gordon's Ferry on Kern River (SRL 137)

Area is visible from Route 8. Major Aneas B. Gordon operated a ferry here during the 1850's.

c. Kern River Park

Route 8 runs through Kern River Park, which provides: picnic areas; swimming,



KERN RIVER PARK

sports; water skiing at Lake Ming; overnight camping; motorcycle activities; and other recreational related activities. The park area covers 1,500 acres.

ROUTE 9 (consisting of I-5; Frazier Mountain Park Road; Cuddy Valley Road; Mil Potrero and Cerro Noroeste Roads; State Route 33)

DESCRIPTION - This Route begins at the point where the California Aqueduct crosses under Interstate 5. From here, the Route proceeds south along I-5 to the intersection of I-5 and Frazier Mountain Park Road, which marks the south end of Kern County. The Route then proceeds west along the Frazier Mountain Park Road through the community of Frazier Park to the Ventura County line. From Frazier Mountain Park Road, the Route branches off onto Cuddy Valley Road, to Mil Potrero Road, and along Mil Potrero Road to Cerro Noroeste Road. Cerro Noroeste Road terminates at State Route 33, and the Scenic Route, from this point, bears southwesterly along Route 33 to the San Luis Obispo County line.

APPROXIMATE LENGTH - 55 miles

POINTS OF INTEREST

a. Edmonston Pumping Plant

World's largest pump lift boosting California Aqueduct water from San Joaquin Valley to Carley V. Porter Tunnel. (Five miles east of I-5 from Grapevine Grade.)

b. Sebastian Indian Reservation (SRL 133)

Marker is eight miles south of Mettler Station on Interstate 5. Established by E. F. Beale in 1853 for protection of California Indians.

c. Fort Tejon (SRB 129)

Three miles north of Lebec on Interstate 5. Established in 1854 by the U. S. Army for the protection of Indians in San Joaquin Valley and to suppress stock rustling. Army first used camels here. Site of 1837 grave of Peter Lebeck.

d. Top of Grapevine Pass (SRL 283)

Historical marker is at Lebec on I-5, in memory of historic pass from which Commander Fages caught his first glimpse of the San Joaquin Valley in 1772.

e. Frazier Mountain Park

Summer-winter resort center at about 5,000 feet in Los Padres National Forest. A 27-acre County park offers barbecue, picnicking, and all-year fishing (off Frazier Mountain Park Road).

f. Big Trees

Site of record Jim Whitener tree, a ponderosa pine 142 feet in height. Hidden in nearby Pleito Canyon is a big cone spruce, believed to be the largest in the world.

g. Mt. Cerro Noroeste (Mt. Abel)

Summer and winter recreation center in Los Padres National Forest. Ski tows, picnic facilities, and camping areas are provided.

ROUTE 10 (consisting of Bena Road, Caliente-Bodfish Road, and Bealville Road)

DESCRIPTION - This eligible Scenic Route begins at the intersection of Bena Road and Edison Highway. It follows Bena Road to the Caliente-Bodfish Road and, from this point, turns south on the Bealville Road to State Highway 58. This route is commonly called the Old Caliente Road.

APPROXIMATE LENGTH - 25 miles

POINTS OF INTEREST

a. Caliente

Described under Scenic Route 4.

b. Bealville

Historic Southern Pacific train station near Caliente.

ROUTE 11 (consisting of State Route 119, Elk Hills Road, Brite Road, Dunford Road, Stockdale Highway, Dairy Road, Adohr Road, and Tupman Road)

DESCRIPTION - Scenic Route 11 begins at the intersection of State Route 119 and continues north along Elk Hills Road to Brite Road. From this point, the scenic route jogs southeasterly along a series of short road segments consisting of Brite Road, Dunford Road, Dairy Road, Adohr Road, and, lastly, Tupman Road.

APPROXIMATE LENGTH - 40 miles

POINTS OF INTEREST

a. Tulamniu Indian Village (SRL 374)

This historic Indian village is on the west shore of Buena Vista Lake, a short distance from Tupman Road. The site was visited by Fages in 1772 and excavated by the Smithsonian Institution in 1933-34.

b. Buena Vista Aquatic Recreation Center

This County recreation area is located on the northeasterly edge of the dry Buena Vista Lake Bed. The 1,585-acre project provides water-oriented activities such as fishing, boating, water skiing, and swimming. Overnight camping and picnicking facilities are also available.

c. Buena Vista Golf Course and Andy Noon Memorial Park

This 18-hole golf course and park are located a few miles west of the Buena Vista Aquatic Center. The course and park occupy approximately 165 acres.

d. Elk Hills

The Elk Hills lie eight miles south of Buttonwillow. These hills were named for the Tule Elk, which was, at one time, native to the area. The hills are the site of the nation's largest miliary oil reserves.

e. Tule Elk Preserve State Park

The 955-acre preserve is immediately north of Tupman. Currently, over 100 Tule Elk inhabit the area. This State Park has five acres of public park complete with picnic tables and restrooms.

ROUTE 12 (consisting of Caliente-Bodfish Road, Caliente Creek Road, Walker Basin Road, Johns Road, Williams Road, Daily Road, Walser Road, and back to Caliente-Bodfish Road)

DESCRIPTION - This route would begin in the community of Caliente. From there, it would go easterly along Caliente-Bodfish Road to Caliente Creek Road. From that point, it would continue easterly along Caliente Creek Road to Walker Basin Road and then westerly on Walker Basin Road to Johns Road. It would then follow Johns Road to Williams Road to Daily Road and to Walser Road in the Walker Basin area. Walser Road would connect the route to Caliente-Bodfish Road. From there, the route would follow Caliente-Bodfish Road to its terminal point on State Route 178 just south of the town of Bodfish.

APPROXIMATE LENGTH - 46 miles

POINTS OF INTEREST

a. Caliente

Described under Route 4.



CALIENTE-BODFISH ROAD NEAR CALIENTE

b. Paris-Lorraine

Early mining area still having considerable evidence of past activity. Caliente Creek and Canyon add much to the charm of the area.

c. Piute

An old stage station built about 1860 by James Scodie. The station served as a stop between Tehachapi and Havilah on the old Indian Creek Road.

d. Walker Basin

A picturesque mountain valley first settled over one hundred years ago. Cattle ranching with an old west flavor accents the area.

e. Havilah

This first county seat of Kern County (1866-1874) is now a small community containing some older structures and interesting ruins.



KERN COUNTY COURTHOUSE (1866-1874), HAVILAH



SIERRA NEVADA FROM WALKERS PASS

APPENDIX



Appendix 1

EXAMPLE ONLY

SC SCENIC CORRIDOR OVERLAY ZONE

Section _____. PURPOSE AND INTENT. The SC Scenic Corridor Overlay Zone is designed for application within the boundaries of a Scenic Highway Corridor adjacent to any public highway which has been designated a Scenic Highway by the State of California and/or the Board of Supervisors. The establishment of this zone classification constitutes a recognition of the important social, recreational, and economic values to be derived from protection and enhancement of the scenic qualities of the County's roadsides for the benefit of residents and visitors alike. To this end, it is intended that the SC Zone will be an overlay zone classification and that its provisions shall modify and supplement the provisions of the basic underlying zone or zones to assure exclusion of incompatible uses and structures and perpetuation of aesthetic qualities of scenic corridors. It is further intended that if any regulations specified in this Article are more restrictive than the regulations of a zone which is overlayed by the SC Zone, the regulations of this Article shall govern.

Section _____. LAND USES. In an SC Zone, the following uses are permitted:

1. Any use permitted in the underlying zone, except off-site signs, subject to the same conditions and restrictions applicable in such underlying zone and to all requirements and regulations of this Article.

2. The following uses, provided a conditional use permit is issued in accordance with the provisions of this ordinance:

(a) A directional panel, not to exceed 32 square feet in area, giving motorists directional information to three or more enterprises and so located that it is not readable by a person of normal visual acuity from the right-of-way of any Scenic Highway.

(b) Any use allowed in the underlying zone by conditional use permit; provided that the Planning Commission, or in the event of an appeal, the Board of Supervisors, determines such use is consistent with the intent and purpose of the SC Zone.

Section _____. LIMITATIONS ON PERMITTED USES. Uses permitted in the SC Zone shall be subject to the following conditions:

1. Every business and industrial use shall be conducted entirely within enclosed buildings except the following:

(a) Agricultural uses.

(b) Auto laundry, drive-in restaurant, public parking area, retail nursery, sale

of new or used autos, service station, similar establishments upon specified approval by the Planning Commission.

2. For signs pertaining to business or industrial uses conducted on the same premises, the following restrictions shall be applied in addition to all conditions and restrictions contained in the regulations governing the underlying zone:

(a) The aggregate area of all such signs on each lot or parcel shall not exceed eighty (80) square feet, and no single sign shall exceed forty (40) square feet.

(b) One (1) free-standing sign may be erected on each lot or parcel and shall not exceed a height of thirty-five (35) feet.

(c) Signs attached to buildings shall not project more than sixteen (16) inches from any wall, nor above the parapet or eaves of the building to which attached.

(d) No sign visible from the right-of-way of any Scenic Highway shall display any flashing or intermittent lights or be animated or appear to be animated.

3. For signs in any business or industrial zone advertising the sale, lease, or rental of a particular building, property, or premises upon which displayed, the aggregate area shall not exceed twenty (20) square feet.

Section _____. SITE PLANS REQUIRED. Prior to the issuance of any building permit or commencement of any construction of any building or structure, except one- and two-family dwellings and structures appurtenant thereto which meet all requirements of this Article, a site plan of the proposed development shall be reviewed and approved by the Director of Planning.

1. Applications for site plan approval shall be submitted to the Director of Planning and shall be accompanied by such maps, plans, drawings, and sketches as are necessary to show:

(a) Boundaries and existing topography of the property and adjoining or nearby streets;

(b) Location and height of all existing buildings and structures, stands of trees and specimen trees, and the proposed disposition or use thereof;

(c) Location, height, and proposed use of all proposed structures, including walls, fences, and free-standing signs, and location and extent of individual building sites;

(d) Location and dimensions of ingress and egress points, interior roads and driveways, parking areas, and pedestrian walkways;

(e) Location and proposed treatment of important drainageways;

(f) Proposed grading and removal or placement of natural materials, including finished topography of the site; and

(g) Proposed landscaping plan.

2. The Director of Planning shall review applications for site plan approval, and

in carrying out such review, the Director shall consider, but not be limited to, the following criteria:

(a) All elements of the proposed development shall be consistent with the intent and all requirements of the SC Zone;

(b) Buildings and structures shall be so designed and located on the site as to create a generally attractive appearance and a harmonious relationship with surrounding development and the natural environment;

(c) Buildings, structures, and plant materials shall be constructed, installed, or planted so as not to unnecessarily obstruct scenic views visible from the scenic highway;

(d) Potentially unsightly features shall be located so as to be inconspicuous from the scenic highway or effectively screened from view by planting and/or fences, walls, or grading;

(e) Insofar as feasible, natural topography, vegetation, and scenic features of the site shall be retained and incorporated into the proposed development;

(f) Any grading or earth-moving operation in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site, and vegetative cover shall be provided to hide scars on the land resulting from such operations.

3. Upon completion of his review, the Director of Planning shall approve, conditionally approve, or disapprove a site plan.

4. No building permit shall be issued, except of a one- or two-family dwelling or structure appurtenant thereto, for the construction of any building or structure in the SC Zone except pursuant to a site plan which has been approved by the Director of Planning.

5. The Director of Planning may waive the requirements of this Section when he finds that provisions of this Article have been or will be fulfilled by the conditions of a conditional use permit or by other means.

6. Upon request of the applicant, modification of an approved site plan may be made by the Director of Planning if he finds that the modification is consistent with the intent and requirements of the SC Zone.

7. Any approval of a site plan shall expire within one (1) year of such approval except where construction and/or use in reliance on such site plan has commenced prior to its expiration. If construction and/or use in reliance thereupon has not commenced within the one- (1) year period, said period may be extended by the Director of Planning at any time prior to the original expiration date.

Section _____. GRADING. No grading, removal or deposit of natural materials for which a grading permit is required shall take place on any lot or parcel in the SC Zone except by a grading permit in connection with a building permit issued for construction which conforms to the provisions of this ordinance; or by a grading permit not in connection with construction that is issued with the concur-

rence of the Director of Planning; or if no grading permit is required, by an application to do minor grading which has been approved by the Director of Planning. The following activities are exempt from the requirements of this Section:

1. Tilling or preparation of land for agricultural purposes.
2. Minor excavation or placement of natural materials incidental to the planting of trees, shrubs, and other plant material, and to the installation of minor structural features not requiring a grading permit, such as fences, walls, walkways, patios, and similar elements customarily accessory to a permitted use, provided such excavation or placement of materials does not alter the general overall topographical configuration of the land.

Appendix 2

ENABLING LEGISLATION

I. STREETS AND HIGHWAYS CODE

State Scenic Highways

260. It is the intent of the Legislature in designating certain portions of the state highway system as state scenic highways to establish the State's responsibility for the protection and enhancement of California's natural scenic beauty by identifying those portions of the state highway system which, together with the adjacent scenic corridors, require special scenic conservation treatment. It is further declared to be the intent of the Legislature in designating such scenic highways to assign responsibility for the development of such scenic highways and for the establishment and application of specific planning and design standards and procedures appropriate thereto and to indicate, in broad statement terms, the location and extent of routes and areas requiring continuing and careful coordination of planning, design, construction, and regulation of land use and development, by state and local agencies as appropriate, to protect the social and economic values provided by the State's scenic resources.

County Scenic Highways

154. The department shall encourage the construction and development by counties of portions of the county highways as official county scenic highways and may furnish to the counties any information or other assistance which will aid the counties in the construction or development of such scenic highways.

Whenever the department, with the advice of the Scenic Highway Advisory Committee, determines that any county highway meets the minimum standards prescribed by the department for official scenic highways, including the concept of the "complete highway," as described in Section 261, it may authorize the county in which the highway is located to designate the highway as an official county scenic highway and the department shall so indicate the highway in publications of the department and in any maps which are prepared by the department for distribution to the public which show the highway.

If the department, with the advice of the Scenic Highway Advisory Committee, determines that any county highway which has been designated as an official county scenic highway no longer meets the minimum standards prescribed by the department for official scenic highways, it may, after notice to the county and a hearing on the matter, if requested by the county, revoke the authority of the county to designate the highway as an official county scenic highway.

(Amended by Stats. 1969, Ch. 1352.)

Scenic Highway Advisory Committee

227. Scenic Highway Advisory Committee, hereafter referred to in this chapter as the advisory committee, is hereby created. The advisory committee shall consist

of seven members appointed by the Governor from among officials of cities and counties, persons having special competence in the field of landscape architecture, as it relates to scenic conservation, and others interested in highways, land planning, and park problems.

Appointments shall be for a four-year term. Each member shall hold office until the appointment and qualification of his successor. Vacancies occurring prior to the expiration of a term shall be filled by appointment for the unexpired term.

(Amended by Stats. 1969, Ch. 1352.)

Scenic Areas (Adjacent to Highways)

895. If federal funds are available for reimbursement therefor, the department may acquire, either in fee or in any lesser estate or interest, real property adjacent to any highway included in the national system of interstate and defense highways or the federal-aid primary highway system, which the department considers necessary for the preservation, maintenance, or conservation of scenic lands or areas adjacent to such highways or which it considers necessary to preserve, improve, or enhance the scenic beauty of or points of interest in the lands or areas traversed by such highways. Nothing in this section shall authorize the use of eminent domain to acquire any dwelling or any building or other enclosure, and the appurtenances thereto, in which commercial activities are conducted.

896. The Legislature hereby declares that the acquisition of interests in real property for the preservation, maintenance, or conservation of scenic lands or areas adjacent to any highway included in the national system of interstate and defense highways or the federal-aid primary highway system or to preserve, improve, or enhance the natural beauty of points of interest in the lands or areas traversed by such highways provided for in Section 895 constitutes a public use and purpose.

Gifts for Memorials on Scenic Highways

155. The department may accept any gift of money or property from any person or group for the purpose of acquiring property for, and establishing and maintaining as a memorial to any person or group, a place adjacent to any state highway in the state scenic highway system established by Article 2.5 (commencing with Section 260) of Chapter 2, Division 1 of this code, at a point of special scenic, historical, or cultural interest, where motorists may stop to appreciate and enjoy the point of interest.

Any money which is received by the department pursuant to this section shall be deposited in the Special Interest Stopping Place Fund, which fund is hereby created in the State Treasury. Any money in the fund is continuously appropriated to the department without regard to fiscal years to carry out the purposes for which the money was received by the department.

The department shall, unless otherwise requested by the person or group from whom money or property is received for a stopping place, establish and maintain appropriate signs at the stopping places which indicate the name of the person or group in whose honor the place was established.

The right of eminent domain shall not be exercised by the department to acquire

property, or any interest in property, pursuant to this section and the department may not acquire any real property for the purposes of this section unless the board of supervisors of the county in which such real property is located consents to such acquisition.

No state highway funds shall be used for the maintenance or operation of any property acquired by the department pursuant to this section.

(Added by Stats. 1963, Ch. 1794.)

II. GOVERNMENT CODE

Authority for and Scope of General Plans

65302. Elements of plan required to be included.

The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(h.) A scenic highway element for the development, establishment, and protection of scenic highways pursuant to the provisions of Article 2.5 (commencing with Section 260) of the Streets and Highways Code.

Authority for and Scope of Specific Plans

65450. Preparation of plans; direction of legislative body.

The planning agency may, or if so directed by the legislative body shall, prepare specific plans based on the general plan and drafts of such regulations, programs, and legislation as may in its judgment be required for the systematic execution of the general plan and the planning agency may recommend such plans and measures to the legislative body for adoption.

Open Space and Scenic Land Acquisition

6950. It is the intent of the Legislature in enacting this chapter to provide a means whereby any county or city may acquire, by purchase, gift, grant, bequest, devise, lease or otherwise, and through the expenditure of public funds, the fee or any lesser interest or right in real property in order to preserve, through limitation of their future use, open spaces and areas for public use and enjoyment.

6951. The Legislature finds that the rapid growth and spread of urban development is encroaching upon, or eliminating, many open areas and spaces of varied size and character, including many having significant scenic or esthetic values, which areas and spaces if preserved and maintained in their present open state would constitute important physical, social, esthetic or economic assets to existing or impending urban and metropolitan development.

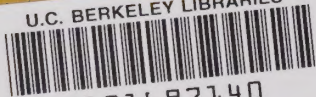
Open Space and Scenic Land Easements

51050. Any city or county which has adopted a general plan may accept grants of open-space easements on privately owned lands lying within the city or county in the manner provided in this chapter.

51051. "Grant of an open-space easement" means a grant by an instrument whereby the owner relinquishes to the public, either in perpetuity or for a term of years, the right to construct improvements upon the land except as may be expressly reserved in the instrument and which contains a covenant with the city or county, running with the land, either in perpetuity or for a term of years, not to construct or permit the construction of any improvements, except as such right is expressly reserved in the instrument and except for public service facilities installed for the benefit of the land subject to such covenant or public service facilities installed pursuant to an authorization by the governing body of the city or county or the Public Utilities Commission.

Any such reservation shall be consistent with the purposes of this chapter or with the findings of the county or city pursuant to Section 51056 and shall not permit any action which will materially impair the open-space character of the land.

U.C. BERKELEY LIBRARIES



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